

**MOORE COUNTY PLANNING BOARD
SPECIAL MEETING
THURSDAY, February 1, 2018, 6:00 PM
MOORE COUNTY HISTORIC COURTHOUSE – 2nd Floor**

CALL TO ORDER – 6 PM

INVOCATION – (Member Volunteer)

PLEDGE OF ALLEGIENCE – (Member Volunteer)

MISSION STATEMENT – (Member Volunteer)

I. PUBLIC COMMENT PERIOD (*Procedures are attached*)

Please sign up on the Public Comment Sign In sheet near the door

II. APPROVAL OF CONSENT AGENDA

All items listed below are considered routine and will be enacted by one motion. No separate discussion will be held except by a member of the Planning Board:

- A. Approval of Meeting Agenda
- B. Approval of Minutes of October 5, 2017
- C. Consideration of Abstentions

III. PUBLIC HEARINGS

1. **Special Non-residential Intensity Allocation (SNIA) Request (O'Reilly Automotive Stores, Inc-4209 NC Hwy 211)** - O'Reilly Automotive Stores, Inc. is seeking a Special Non-residential Intensity Allocation (SNIA) to increase the maximum built-upon area to 50.90 % on two adjacent properties located at 4209 NC Hwy 211 in the Seven Lakes Village Business district, owned by O'Reilly Automotive Stores, Inc., to construct an automotive part sales business and associated parking.
2. **Juniper Ridge Partners, LLC are requesting a General Use Rezoning-** Juniper Ridge Partners, LLC are requesting a General Use Rezoning from Highway Commercial (B-2) to Residential and Agricultural-40 (RA-40) of the south western portion, being approximately 8,925 square feet (approximately 0.20 acres) of an approximate 8.77 acre parcel, located adjacent to 990 Juniper Lake Road and adjacent to Mountain Run Road, owned by Juniper Ridge Partners, LLC, per Deed Book 4921 Page 233 and recorded in Plat Cabinet 17, Slide 573.
3. **Moore County Planning Staff is requesting the following amendments to the Moore County Unified Development Ordinance:** Rewrite "Debris Management Facility" to include the following facilities: Compost, Yard Waste, Land Clearing & Inert Debris, Mulching, Concrete Recycling, and Sawmills. Rewrite "Landfill" to include the following facilities: Municipal Solid Waste Management Facility, Construction & Demolition Landfill Facility, Industrial Solid Waste Landfill, & Material Recovery Facility.

IV. PLANNING DEPARTMENT REPORTS

V. BOARD COMMENT PERIOD

VII. UPCOMING EVENTS

- Tuesday, February 6, 2018 5:30 PM Board of Commissioners Meeting to be held at the Historic Courthouse in Carthage

- Tuesday, February 20, 2018 5:30PM Board of Commissioners Meeting to be held at the Historic Courthouse in Carthage
- **Thursday, March 1, 2018 6:00 PM Planning Board Meeting to be held at the Historic Courthouse in Carthage**

VIII ADJOURNMENT

*Special accommodations for individuals with disabilities or impairments will be made upon request to the extent that reasonable notice is **give** to the County.*

Please see attached procedures for the Public Comment Period and public comment during Public Hearing

PUBLIC COMMENT PROCEDURES MOORE COUNTY PLANNING BOARD

The Moore County Planning Board is committed to allowing members of the public an opportunity to offer comments and suggestions for the efficient and effective administration of government. In addition to public hearings, a special time is set aside for the purpose of receiving such comments and suggestions. All comments and suggestions addressed to the Board during the Public Comment Period shall be subject to the following procedures:

- 1. The Public Comment period will be held at the beginning of the Board meeting. The comment period will be limited to a maximum of thirty minutes*
- 1. Persons who wish to address the Board during the Public Comment Period will register on a sign-up sheet available on the table outside the entrance door to the Meeting Room indicating contact information and topic. Sign-up sheets will be available beginning 30 minutes before the start of the meeting. No one will be allowed to have his/her name placed on the list by telephone request to County Staff.*
- 2. Each person signed up to speak will have three (3) minutes to make his/her remarks. Each person signed up to speak will only be entitled to the time allotted to each speaker and one additional time period which may be yielded to him/her by another individual who has also signed up to speak on a particular topic.*
- 1. Speakers will be acknowledged by the Board Chairperson in the order in which their names appear on the sign up sheet. Speakers will address the Board from the lectern at the front of the room and begin their remarks by stating their name and address.*
- 2. Public comment is not intended to require the Board to answer any impromptu questions. Speakers will address all comments to the Board as a whole and not one individual member. Discussions between speakers and members of the audience will not be allowed.*
- 3. Speakers will be courteous in their language and presentation. Matters or comments which are harmful, discriminatory or embarrassing to any citizens, official or employee of Moore County shall not be allowed. Speaker must be respectful and courteous in their remarks and must refrain from personal attacks and the use of profanity.*
- 4. Only one speaker will be acknowledged at a time. If the time period runs out before all persons who have signed up get to speak, those names will be carried over to the next Public Comment Period.*
- 5. Any applause will be held until the end of the Public Comment Period.*
- 6. Speakers who have prepared written remarks or supporting documents are encouraged to leave a copy of such remarks and documents with the Chairperson.*
- 7. Information sheets outlining the process for the public's participation in Board meetings will also be available in the rear of the Meeting Room.*
- 8. Action on items brought up during the Public Comment Period will be at the discretion of the Board.*

Adopted on the 4th day of February, 2010 by a 8 to 1 vote of the Moore County Planning Board.

MOORE COUNTY PLANNING BOARD PUBLIC HEARINGS PROCEDURES

The Moore County Planning Board serves the public as well as the Board of Commissioners. During each public hearing a special time has been set aside for the purpose of receiving comments and suggestions. To insure that comments and suggestions are productive and not unnecessarily long, procedural rules for conducting public hearings are necessary. The following procedural rules will be utilized during public hearings of the Moore County Planning Board:

- 1. Anyone who would like to address the Board during a public hearing should register on the appropriate sign-up sheet indicating their name and address. Sign-up sheets will be available on the table outside the entrance door to the Meeting Room 30 minutes before the start of the meeting. Information sheets outlining the process for the public's participation in Board meetings and public hearings will also be available. No one will be allowed to have his/her name placed on the list by telephone request to County Staff.*
- 2. Each speaker will be called by the Chairman to the lectern, will state their name and address clearly into the record before providing their comments.*
- 3. Speakers will address all comments to the Board as a whole and not to any one individual member. Speakers will be respectful, courteous, refrain from personal attacks and the use of profanity.*
- 4. Any applause will be held until the end of the public hearing.*
- 5. Speakers who have prepared written remarks or supporting documents are encouraged to leave a copy of such remarks and documents with the Secretary.*
- 6. Action on items brought up during the public hearing will be at the discretion of the Board.*

Adopted on the 5th day of May, 2011 by a 9 to 0 vote of the Moore County Planning Board

MINUTES
MOORE COUNTY PLANNING BOARD
THURSDAY, October 5, 2017 6:00 PM
MOORE COUNTY HISTORIC COURTHOUSE – 2nd FLOOR

Board Members Present: Eddie Nobles (Chairman), David Lambert, Harry Huberth, John Matthews, John Cook, Jeffery Gilbert

Board Members Absent: Matthew Bradley, Joe Garrison, Bobby Hyman

Staff Present: Debra Ensminger, Planning Director
Brenda White, Deputy County Attorney
Theresa Thompson, Senior Planner
Darya Cowick, Planner
Stephanie Cormack, Administrative Assistant

CALL TO ORDER

Chairman Eddie Nobles called the meeting to order at 6:00 pm.

INVOCATION

Board Member John Cook offered the invocation.

PLEDGE OF ALLEGIANCE

Board Member Harry Huberth led in citing of the Pledge of Allegiance.

MISSION STATEMENT

Board Member Jeffery Gilbert read the Moore County Mission Statement.

PUBLIC COMMENT PERIOD

There was no public comment.

APPROVAL OF THE CONSENT AGENDA

- A. Approval of Meeting Agenda
- B. Approval of Minutes of September 7th, 2017
- C. Consideration of Abstentions

Board Member Harry Huberth made a motion to approve the consent agenda. The motion was seconded by Board David Lambert and the motion passed unanimously (6-0).

PUBLIC HEARING

Chairman Nobles opened the Public Hearing

Moore County staff is requesting to amend the Moore County Unified Development Ordinance to include clarifying bona fide farms, swine farms, and agritourism, amending subdivision regulations including estate exclusions, performance guarantees, and plats certificates, and amending the definition of “built upon area” to meet new statutory requirements.

Senior Planner Theresa Thompson presented to the Board a request to update the Unified Development Ordinance which is required by state law to meet new statutory requirements enacted by the NC General Assembly during the 2017/18 regular session.

Ms. Thompson highlighted some of the updates and changes to the Unified Development Ordinance as outlined below:

- Swine farms have been removed from the table of uses which deregulates the County,
- Clarification was added to the Unified Development Ordinance explaining what considers a bona fide farm statutes,
- Swine farms are now considered bona fide farms and are excluded from any zoning regulations. Swine farms have been removed from the current Unified Development Ordinance and place under bona fide farms,
- Equines or therapeutic equines are now considered bona fide farms and are exempt from zoning regulations,
- Farm Identification Number can no longer be used when considering bona fide farm status,
- Current agritourism language within the Unified Development Ordinance was updated to reflect the statute language,
- Building or structures for public or private events which have bona fide farm status are now excluded from any zoning regulations,
- Current language within the Unified Development Ordinance regarding accessory uses which have bona fide farm status was cleaned up to reflect the statutes language,
- Current language within the Unified Development Ordinance regarding the rezoning process is now in line with the Conditional rezoning process,
- Current language within the Unified Development Ordinance regarding development agreement was updated to reflect the statute language,
- Current language within the Unified Development Ordinance updated regarding performance guarantees for major subdivisions,
- Create a new type of subdivision for a minor subdivision which requires the plat to be reviewed within five (5) days. Language was added to reflect the statute language,
- Updated current language within the Unified Development Ordinance to reflect required statements to plats,
- Clarification of the language was added to the Unified Development Ordinance explaining what is considered as built upon area and not built upon surfaces.

With no further discussion Theresa Thompson requested the board to make two separate motions, 1) To adopt the Moore County Planning Board Land Use Plan Consistency Statement 2) To recommend the board to approve or deny the text amendment request approval to the Moore County Board of Commissioners of the proposed text amendment.

Planning Board member David Lambert made a motion to adopt the Moore County Planning Board Land Use Plan Consistency Statement and authorize the chairman to execute the document as per NC GS 153A-341. The motion was seconded by Board Member Harry Huberth, the motion passed unanimously 6-0.

Planning Board member David Lambert made a motion to recommend approval to the Moore County Board of Commissioners to the proposed text amendments. The motion was seconded by Board member Jeffrey Gilbert, the motion passed unanimously 6-0.

OTHER BOARD MATTERS

No other board matters were discussed.

PLANNING DEPARTMENT REPORTS

Ms. Ensminger provided the board with upcoming BOC meeting dates and stated the text amendment request will go before the BOC for a Call To Public Hearing on October 17th and the Public Hearing will be on November 7th. Ms. Ensminger provided the board an update to the Dixon rezoning request which was approved by the BOC on October 3rd.

BOARD COMMENT PERIOD

Planning Board member Harry Huberth asked when an updated copy of the Unified Development Ordinance would be available to the board members. Ms. Ensminger indicated once approved by the BOC on November 7th the ordinance would be available on the county website.

ADJOURNMENT

Board Member Harry Huberth made a motion to adjourn the October 5, 2017 regular meeting. The motion was seconded by Board Member Jeffrey Gilbert and the motion passed unanimously 6-0.

Respectfully submitted by,

Stephanie Cormack

MEMORANDUM TO THE WATERSHED REVIEW BOARD

FROM: Debra Ensminger
Planning & Transportation Services Director

DATE: November 7, 2017

SUBJECT: Special Non-residential Intensity Allocation (SNIA) Request
("O'Reilly Automotive Stores, Inc." – 4209 NC Hwy 211)

PRESENTER: Theresa Thompson

REQUEST

O'Reilly Automotive Stores, Inc. is seeking a Special Non-residential Intensity Allocation (SNIA) to increase the maximum built-upon area to 50.90 % on two adjacent properties located at 4209 NC Hwy 211 in the Seven Lakes Village Business district, owned by O'Reilly Automotive Stores, Inc., to construct an automotive part sales business and associated parking.

BACKGROUND

- The property is located within the WS-II-BW Drowning Creek Watershed which limits non-residential development to 12% built-upon area except approval of a SNIA authorizes up to 70% built-upon area.
- Tract 1 (ParID 94000440) is 0.870 acres and is currently undeveloped.
- Tract 2 (ParID 00020121) is 0.345 acres and is currently undeveloped.
- The total proposed acreage is 1.215 acres.
- The applicant is requesting to increase the total built-upon area to 0.618 acres or 50.90% of the project site.
- Three (3) SNIA's have been issued in the Drowning Creek Watershed for a total of 7.19 acres leaving a balance of 2,213.63 acres for future allocation.
- Approval of this SNIA request will increase the total project acreage by 1.215 acres leaving 2,212.41 acres for future allocation.
- The applicants are aware of the NC Hwy 211 widening project.

UDO REQUIREMENTS MET

- The applicant has submitted a site plan that proposes engineered methods to minimize water quality impacts and incorporating Best Management Practices.
- The property is uniformly zoned Village Business (VB) and allows for the proposed use of Auto Parts Sales.
- The submitted application and site plan meets all required standards and conditions set forth in the Moore County Unified Development Ordinance.

STAFF RECOMMENDATION

Staff recommends the Moore County Watershed Review Board make the following motion:

Motion #1: Make a motion to approve the Special Non-residential Intensity Allocation (SNIA) to increase the maximum built-upon area to 50.90 % on two adjacent properties known as ParID 94000440, 00020121, located at 4209 NC Hwy 211, West End owned by O'Reilly Automotive Stores, Inc.

ATTACHMENTS

Pictures of Property

Land Use Map

SNIA Application

Submitted Engineer Letter

Submitted Site Plan

Deed Book 4859 Page 425 (PID 94000440)

Deed Book 4859 Page 430 (PID 00020121)

Views of property from NC Hwy 211.





LAND USE MAP

0 100 200 Feet



PLANNING & TRANSPORTATION



P.O. BOX 905
1048 Carriage Oaks Drive
Carthage, NC 28327
Inspections/Permitting: (910) 947-2221
Planning: (910) 947-5010
Transportation: (910) 947-3389
Fax: (910) 947-1303

Special Non-Residential Intensity Application

Application Date:

Location/Address of Property: 4215 North Carolina State Highway 211, Seven Lakes, NC 27376

Applicant: O'Reilly Automotive Stores, Inc.

Phone: 417-862-2674

Applicant Address: 233 S. Patterson Ave.

City: Springfield

St: MO

Zip: 65802

Owner: O'Reilly Automotive Stores, Inc.

Phone: 417-862-2674

Owner Address: 233 S. Patterson Ave.

City: Springfield

St: MO

Zip: 65802

Proposed Use on the Property: Commercial Auto Parts Retail

Existing Impervious Surface (sqft): 0 sqft

Proposed Impervious Surface (sqft): 26,965 sqft

Total Project Size (acres): 1.215 acres

Comments:

The following information must be submitted with all applications requesting a Special Non-Residential Intensity Allocation:

- ☒ Site Plan prepared by licensed individual showing all existing and proposed structures and distances from property lines as well as all proposed stormwater drainage designs.

I (We), the undersigned, certify that all statements furnished in this application are true to the best of my (our) knowledge, and do hereby agree to follow all reasonable requests for information as designated by the County of Moore Planning and Zoning Administrator.

Owner Signature

Date

10-23-17

Owner Signature

Date

Office Use Only:

LRK: 94000440 & 00020120 Zoning District: VB

Received By:

Date:

10/27/17

October 27th, 2017

Theresa Thompson
Senior Planner
Moore County Planning Department
1048 Carriage Oaks Drive
Carthage, NC 28327
Ph: 910-947-4598

RE: O'REILLY AUTO PARTS STORE
4215 NC State Highway 211
Seven Lakes, NC

Ms. Theresa Thompson,

We are the civil consultants for the proposed O'Reilly Auto Parts Store in Seven Lakes, NC located on NC State Highway 211. This proposed development is within the Drowning Creek II-BW Watershed Overlay District which allows a maximum of 12% built-upon area. The proposed O'Reilly Auto Parts will have approximately 50.9% built-upon area. Therefore O'Reilly is required to apply for a Special Non-Residential Intensity Allocation (SNIA) to allow up to 70% built-upon area.

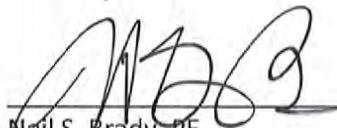
As part of the SNIA application submittal, we provide the following certifications:

1. The O'Reilly development has minimized the built-upon surface area. O'Reilly is showing approximately 50.9% built-upon area which is 19.1% below the allowable.
2. All stormwater from the site is directed away from any surface waters. There are no surface waters on or adjacent to the property.
3. Best Management Practices have been incorporated to minimize water quality impacts. O'Reilly has shown a dry detention pond per NCDEQ requirements to provide the required water quality volume.
4. The O'Reilly site is uniformly zoned. The site is zoned VB, Village Business.

Please feel free to contact us with any questions, comments, or if you need any additional information to start the SNIA process.

Thank you for your help.

Sincerely,

 10/27/17
Neil S. Brady, PE
President /CEO
Anderson Engineering, Inc.



AndersonEngineeringInc.com

2045 W. Woodland, Springfield, Missouri 65807 • Phone: 417.866.2741 • E-mail: info@andersonengineeringinc.com

MAP OF BOUNDARY & TOPOGRAPHIC SURVEY

ZONING INFORMATION

ZONING AUTHORITY: MOORE COUNTY PLANNING & TRANSPORTATION
1048 CARRIAGE OAKS DRIVE
CARPENTERS, NC 28327
CONTACT: DEBRA ENSMINGER, DIRECTOR
TELEPHONE: (910) 947-5010
FAX: (910) 947-5315
NOTE: NO PUBLIC SERVICE IS AVAILABLE.

UTILITY CONTACTS

WATER & SANITARY SEWER
AUTHORITY: MOORE COUNTY PUBLIC UTILITIES (ENGINEERING)
ADDRESS: 5527 US-501
CARPENTERS, NC 28327
CONTACT: LEONARD MCBRYDE, III, P.E. COUNTY ENGINEER
PHONE #: (910) 947-5315
NOTE: NO PUBLIC SERVICE IS AVAILABLE.

POWER
AUTHORITY: DUKE PROGRESS ENERGY
CONTACT: CUSTOMER SERVICE
PHONE #: (866) 582-6345
GAS
NO GAS SERVICE AVAILABLE

INTERNET/TV/PHONE
AUTHORITY: CENTURYLINK
CONTACT: CUSTOMER SERVICE
PHONE#: (855) 721-5235

TREE CHART

1	8" PINE	12	11" PINE
2	8" PINE	13	13" PINE
3	6" PINE	14	13" PINE
4	6" PINE	15	5" PINE
5	8" PINE	16	8" PINE
6	10" PINE	17	9" PINE
7	8" PINE	18	6" PINE
8	13" PINE		
9	6" PINE		
10	6" PINE		
11	9" PINE		

NOTES

- THIS PARCEL IS LOCATED BETWEEN THE NORTHEASTERLY RIGHT OF WAY OF NORTH CAROLINA STATE HIGHWAY 211 AND THE SOUTHWESTERLY RIGHT OF WAY OF TRADE STREET. THE STREET ADDRESS FOR TRACT 2 IS 4215 NORTH CAROLINA STATE HIGHWAY 211; THERE IS NO ADDRESS FOR TRACT 1. THE TAX PARCEL NUMBER IS 94000440 FOR TRACT 1, AND 00020212 FOR TRACT 2. THE SUBJECT PROPERTY IS LOCATED IN THE SEVEN LAKES CENSUS DESIGNATED PLACE (CDP) IN THE UNINCORPORATED AREA OF MOORE COUNTY, NORTH CAROLINA.
- THE AREA OF THIS TRACT IS ±37,890 SQUARE FEET OR ±0.870 ACRE FOR TRACT 1 AND ±15,045 SQUARE FEET OR ±0.345 ACRE FOR TRACT 2. THE COMBINED AREA IS ±52,935 SQUARE FEET OR ±1.215 ACRES. THIS PROPERTY AREA WAS DETERMINED BY THE COORDINATE COMPUTATION METHOD.
- DISTANCES SHOWN HEREON ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
- ANY UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED BY SWEETWATER UTILITY EXPLORATION (704-929-9074). VERIFICATION OF THE UTILITY LOCATIONS SHOULD BE MADE PRIOR TO CONSTRUCTION BY CONTACTING THE NORTH CAROLINA ONE-CALL 811, (800) 632-4949.
- THE REFERENCE BEARING FOR THIS DRAWING IS BASED UPON THE NORTH CAROLINA STATE PLANE COORDINATE SYSTEM, NAD 83 (NAD83 COGS 2011).
- ELEVATIONS SHOWN ARE BASED ON THE NAVD 88 DATUM. ONE-FOOT CONTOUR INTERVAL SHOWN.
- THIS SURVEY WAS MADE WITH THE BENEFIT OF CHICAGO TITLE INSURANCE COMPANY TITLE COMMITMENT NO. 17-04067RA, DATED MARCH 14, 2017 FOR PARCEL 94000440; CHICAGO TITLE INSURANCE COMPANY COMMITMENT NO. 17-04068RA, DATED MARCH 14, 2017 FOR PARCEL 00020212.

LEGEND

ADJACENT PROPERTY LINE	---
EASEMENT LINE	---
FENCE LINE	---
EXISTING CONTOUR LINE	---
WATER LINE	---
OVERHEAD POWER LINE	---
UNDERGROUND TEL	---
FIBER OPTIC LINE	---
STORM SEWER LINE	---
IRON PIN FOUND (SIZE AND TYPE AS NOTED)	●
1/2" REBAR W/ CAP SET	○
SCHEDULE BI EXCEPTION	○
ENCROACHMENT	---
UTILITY POLE/GUY WIRE	---
LIGHT POLE	---
TELEPHONE PEDESTAL	---
WATER VALVE	---
WATER METER	---
FIRE HYDRANT	---
IRRIGATION CONTROL VALVE	---
CLEANOUT	---
BOLLARD	---
SIGN	---
TREE (SEE CHART)	---
SPOT ELEVATION	---
STREET ADDRESS	---
ORIGINAL LOT NUMBERS	---
ASPHALT	---
CONCRETE	---
GRAVEL	---

ABBREVIATIONS:
R/W RIGHT OF WAY
PID PARCEL IDENTIFICATION NUMBER
N/F NOW OR FORMERLY
PC PLAT CABINET
DB DEED BOOK
PAGE
RCP REINFORCED CONCRETE PIPE
XFM POWER TRANSFORMER
APPROX APPROXIMATE
WH WIRE HEIGHT
OTF OPEN TOP PIPE
RBO REBAR & CAP
FFE FINISHED FLOOR ELEVATION
SQ.FT. SQUARE FEET
SFT SURVEY FOOT
UNK UNKNOWN MATERIAL
CF COMBINED FACTOR

MCDONALD STREET
60' PRIVATE RIGHT OF WAY
(PC 3, SLIDE 297)
NO SPEED LIMIT POSTED

RECORD LEGAL DESCRIPTION

TRACT 1 (PARCEL 94000440)
LYING AND BEING IN MINERAL SPRINGS TOWNSHIP, MOORE COUNTY, NORTH CAROLINA, AND LYING ON THE NORTHEAST SIDE OF N.C. HIGHWAY #211 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BENCHMARK INFORMATION

- CROSS CUT "X" SET IN CONCRETE BASE OF SHELL STATION SIGN, SOUTHWEST CORNER OF SUBJECT PROPERTY.
ELEVATION = 619.98

To O'Reilly Automotive Stores, Inc. and Chicago Title Insurance Company:

This is to certify that this map or plot and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS. The field work was completed on April 27, 2017.

Date of Plat or Map: April 27, 2017

John M. Story NC Professional Land Surveyor No. L-3840

SURVEYOR CERTIFICATION

"I, JOHN M. STORY, CERTIFY THAT THIS PLAT IS OF AN EXISTING PARCEL OR PARCELS OF LAND, AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET."

"I, JOHN M. STORY, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN DEED BOOKS 1193, PAGE 195 AND DEED BOOK 221, PAGE 244); THAT THE RATIO OF PRECISION AS CALCULATED IS 1:88,473; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 27TH DAY OF APRIL, A.D. 2017."

John M. Story
PROFESSIONAL LAND SURVEYOR L-3840

July 12, 2017
DATE

GRAPHIC SCALE IN FEET

COMBINED SURVEY LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN MINERAL SPRINGS TOWNSHIP, MOORE COUNTY, NORTH CAROLINA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT NGS MONUMENT "KITCHEN", HAVING SURVEYED GRID COORDINATES (NORTH CAROLINA STATE PLANE GRID, NAD83/NCVRS CORRS 2011) OF 553,228.50 SFT (NORTHING) AND 1,821,699.33 SFT (EASTING); THENCE ALONG A TIE LINE 589°34'00"E A DISTANCE OF 2989.50' TO A 3/4" OPEN TOP PIPE FOUND ALONG THE NORTHEASTERLY RIGHT OF WAY OF NORTH CAROLINA STATE HIGHWAY 211 (100' PUBLIC R/W), SAID PIPE BEING THE POINT OF BEGINNING FOR THIS TRACT OF LAND; THENCE LEAVING SAID RIGHT OF WAY OF NORTH CAROLINA STATE HIGHWAY 211 N47°03'18"E A DISTANCE OF 252.51' TO A 1/2" REBAR FOUND ALONG THE SOUTHWESTERLY RIGHT OF WAY OF NORTH CAROLINA STATE HIGHWAY 211 N47°03'29"W A DISTANCE OF 250.98' TO A POINT ON THE AFFOREMENTED RIGHT OF WAY OF NORTH CAROLINA STATE HIGHWAY 211; THENCE CONTINUING ALONG SAID RIGHT OF WAY OF NORTH CAROLINA STATE HIGHWAY 211 N42°32'48"W A DISTANCE OF 39.83' TO SAID POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS ±52,935 SQUARE FEET OR 1.215 ACRES, MORE OR LESS, AND BEING ALL OF LOT 226 AS SHOWN ON PLAT CABINET 3, SLIDE 297, MOORE COUNTY REGISTER OF DEEDS.

FLOOD_ZONE

ACCORDING TO FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAPS (FIRM), COMMUNITY PANEL NO. 3710852002A, EFFECTIVE DATE: OCTOBER 17, 2006. ENTIRE SUBJECT PROPERTY LIES WITHIN ZONE X, AREA DETERMINED TO BE OUTSIDE THE 1% ANNUAL CHANCE FLOODPLAIN.

STREET INFORMATION

NORTH CAROLINA 211
OPERATING AUTHORITY: NC DOT DIVISION 8, DISTRICT 2
902 N. SANDHILLS BLVD
ABERDEEN, NC 28315
PHONE: (910) 944-7600
CONTACT: TRAVIS MORGAN, P.E., DISTRICT ENGINEER
SPEED LIMIT: 45 MPH
CLASSIFICATION: COLLECTOR

PER TREY CADDELL, R/W AGENT FOR DIVISION 8 ((910) 621-6100) THERE ARE FUTURE PLANS TO WIDEN NC HWY. 211 AND TO ACQUIRE R/W, MOST LIKELY WITHIN THE NEXT TWO YEARS.

THERE ARE NO HIGHWAY PLANS AVAILABLE.

TRADE STREET
OPERATING AUTHORITY: PRIVATELY OWNED BY THE VILLAGE ROAD ASSOCIATION
CONTACT: PHIL COOK
PHONE: (910) 673-2277
SPEED LIMIT: NOT POSTED
CLASSIFICATION: NONE
PER PHIL COOK WITH THE VILLAGE ROAD ASSOCIATION ((910) 673-2277) THERE ARE NO PLANS TO IMPROVE TRADE STREET NOR TO ACQUIRE ADDITIONAL R/W.

PID 99000335
ATLANTIC FINANCIAL GROUP
DOLLAR GENERAL STORE #1235
100 MISSION RIDGE
GOODLETTSVILLE, TN 37072
DB 1526, PG 43
PC 7, SLIDE 418
ZONED VB

PID 94000440
ARTHUR D. & FLORENCE BERKOSKI
APARTADO 1011000222
CHAME, PANAMA
DB 1183, PG 195
ZONED VB

PID 00020212
BERKOSKI SOUTH, LLC
APARTADO 1011000222
CHAME, PANAMA
DB 2211, PG 244
PC 3, SLIDE 297
ZONED VB

PID 00014777
C S DAWES, JR., MOORE COUNTY, LLC & J B DAVIS, MOORE COUNTY LLC
3959 HIGHWAY 200
CONCORD, NC 28025
DB 2988, PG 469
PC 3, SLIDE 297
ZONED VB

PID 00020212
BERKOSKI SOUTH, LLC
APARTADO 1011000222
CHAME, PANAMA
DB 2211, PG 244
PC 3, SLIDE 297
ZONED VB

PID 00020212
BERKOSKI SOUTH, LLC
APARTADO 1011000222
CHAME, PANAMA
DB 2211, PG 244
PC 3, SLIDE 297
ZONED VB

PID 00020212
BERKOSKI SOUTH, LLC
APARTADO 1011000222
CHAME, PANAMA
DB 2211, PG 244
PC 3, SLIDE 297
ZONED VB

PID 00020212
BERKOSKI SOUTH, LLC
APARTADO 1011000222
CHAME, PANAMA
DB 2211, PG 244
PC 3, SLIDE 297
ZONED VB

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SCHEDULE B SECTION II

(TRACT 1, PARCEL 94000440)

CHICAGO TITLE INSURANCE COMPANY
COMMITMENT NUMBER: 17-04067RA
EFFECTIVE DATE: MARCH 14, 2017 @ 5:00 P.M.

NO SPECIFIC EXCEPTIONS INCLUDING PLOTTABLE EASEMENTS OR ANY OTHER RELATIVE MATTER EXIST IN SAID COMMITMENT.

(TRACT 2, PARCEL 00020212)

CHICAGO TITLE INSURANCE COMPANY
COMMITMENT NUMBER: 17-04068RA
EFFECTIVE DATE: MARCH 14, 2017 @ 5:00 P.M.

- ANY RIGHT, EASEMENT, SETBACK, INTEREST, CLAIM, ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATIONS OR OTHER ADVERSE CIRCUMSTANCES AFFECTING THE TITLE DISCLOSED BY PLAT(S) RECORDED IN PLAT CABINET 3, SLIDE 297. NO EASEMENTS, SETBACKS, ENCROACHMENTS, OR ANY OTHER ADVERSE MATTERS TO PLOT FOR THE SUBJECT PROPERTY.

APPARENT ENCROACHMENTS

- PLANTER ENCROACHES SUBJECT PROPERTY 2.5' AT NORTHWEST CORNER.
- CURB CUT CROSSES SOUTHEAST PROPERTY LINE; CURB LINE ALONG PROPERTY LINE.

DONALDSON, GARRETT, & ASSOCIATES, INC.
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9741-L SOUTHERN PINE BOULEVARD
CHARLOTTE, NORTH CAROLINA 28273
Office: (704) 374-1955 Mobile: (704) 589-6192
http://www.dg-a.com

ALTA/NSPS LAND TITLE SURVEY
FOR
O'REILLY AUTOMOTIVE STORES, INC.
4215 NORTH CAROLINA STATE HIGHWAY 211
MINERAL SPRINGS TWP. MOORE COUNTY NORTH CAROLINA

O'Reilly
AUTO PARTS

DATE	REVISIONS
05/19/2017	ADDRESSED CLIENT COMMENTS
06/26/2017	ADDRESSED CLIENT COMMENTS
07/12/2017	ADDRESSED CLIENT COMMENTS

DATE: 4/27/2017
SCALE: 1"=20'
DRAWING #: NC-009-D-17
PROJ. #: 4539-453
DRWN: JH
CHKD: JMS

SV1
SHEET 1 OF 1

**DEVELOPER/OWNER
CONTACT INFORMATION:**

O'REILLY AUTOMOTIVE STORES, INC.
233 S. PATTERSON AVE.
SPRINGFIELD, MO 65802
PHONE: 417-862-2674

SURFACE COVERAGE SUMMARY:

PROPERTY AREA = 52,935 SF = 1.215 ACRES

PRE-1994:
EXISTING IMPERVIOUS SURFACE = 0 SQFT = 0.000 ACRES
PERCENT IMPERVIOUS = 0.0%

POST-1994:
PROPOSED IMPERVIOUS SURFACE = 26,965 SQFT = 0.619 ACRES
PERCENT IMPERVIOUS = 50.9%
PARKING LOT = 19,512 SQFT = 0.448 ACRES
BUILDING = 7,453 SQFT = 0.171 ACRES

PROPOSED PERVIOUS SURFACE = 25,970 SQFT = 0.596 ACRES
PERCENT PERVIOUS = 49.1%
GRASS = 25,970 SQFT = 0.596 ACRES

SNIA SITE NARRATIVE:

EFFORTS WERE TAKEN TO REDUCE BUILT-UPON AREA BY LIMITING THE PROPOSED AREA OF IMPERVIOUS TO ONLY THE AREA REQUIRED FOR THE NUMBER OF PARKING SPACES AND TRUCK DELIVERY. THE PROPOSED PERCENT BUILT-UPON AREA IS 50.9% WHICH IS BELOW THE ALLOWABLE 70%.

THE PROPOSED SITE HAS BEEN DESIGNED TO PROVIDE WATER QUALITY PER NCDEQ REQUIREMENTS FOR WS-II. PER NCDEQ REQUIREMENTS, ENGINEERED STORMWATER CONTROLS MUST BE UTILIZED TO CONTROL RUNOFF FROM THE FIRST 1" OF RAINFALL. THIS HAS BEEN ADDRESSED WITH A DRY DETENTION POND THAT HAS BEEN DESIGNED PER NCDEQ STORMWATER BMP MANUAL SECTION C-12. THIS BMP WAS SELECTED SINCE IT IS A LOW COST AND RELATIVELY LOW MAINTENANCE OPTION.

ALL CALCULATIONS FOR THE BMP IS INCLUDED ON SHEET C0.2.

THE DRY DETENTION POND WILL BE STABILIZED WITHIN 14 DAYS AFTER THE END OF CONSTRUCTION. NO PLANTING SCHEDULE IS REQUIRED FOR THIS BMP.

THE DRY DETENTION POND IS TO BE MAINTAINED PER NCDEQ STORMWATER BMP MANUAL. SEE SHEET C0.3. PER NCDEQ THE BMP MUST BE INSPECTED QUARTERLY AND WITHIN 24 HOURS AFTER EVERY WATER QUALITY STORM (GREATER THAN 1.0 INCH).

PROPOSED USE:

COMMERCIAL AUTO PARTS RETAIL

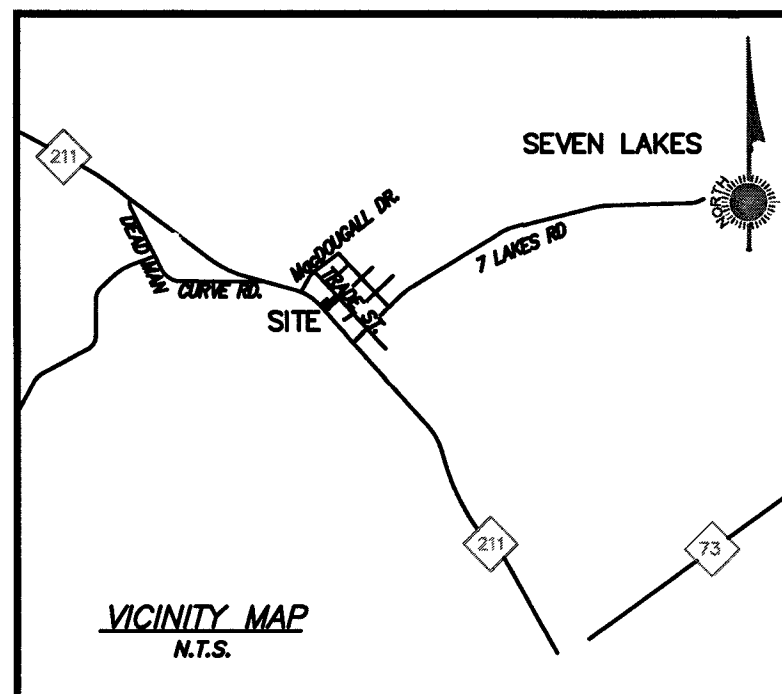
PARKING SCHEDULE:

PARKING FORMULA: 1 SP. PER 150 SQ. FT. SALES FLOOR AREA

SALES FLOOR AREA: 3,300 SF
SPACE SIZE: 9' x 18'
SPACES REQUIRED: 22
SPACES PROVIDED: 30
H.C. SPACES PROVIDED: 2

PROPOSED BUILDING HEIGHT:

PROPOSED HEIGHT OF BUILDING IS 19'-0".
HEIGHT IS SUBJECT TO CHANGE DUE TO ANY POTENTIAL REQUIRED ARCHITECTURAL FEATURES.



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ARCHITECT
1736 East Sunshine, Suite 417
Springfield, Missouri 65804
417.862.0558
Fax: 417.862.3265
e-mail: architect@esterjnschneider.com

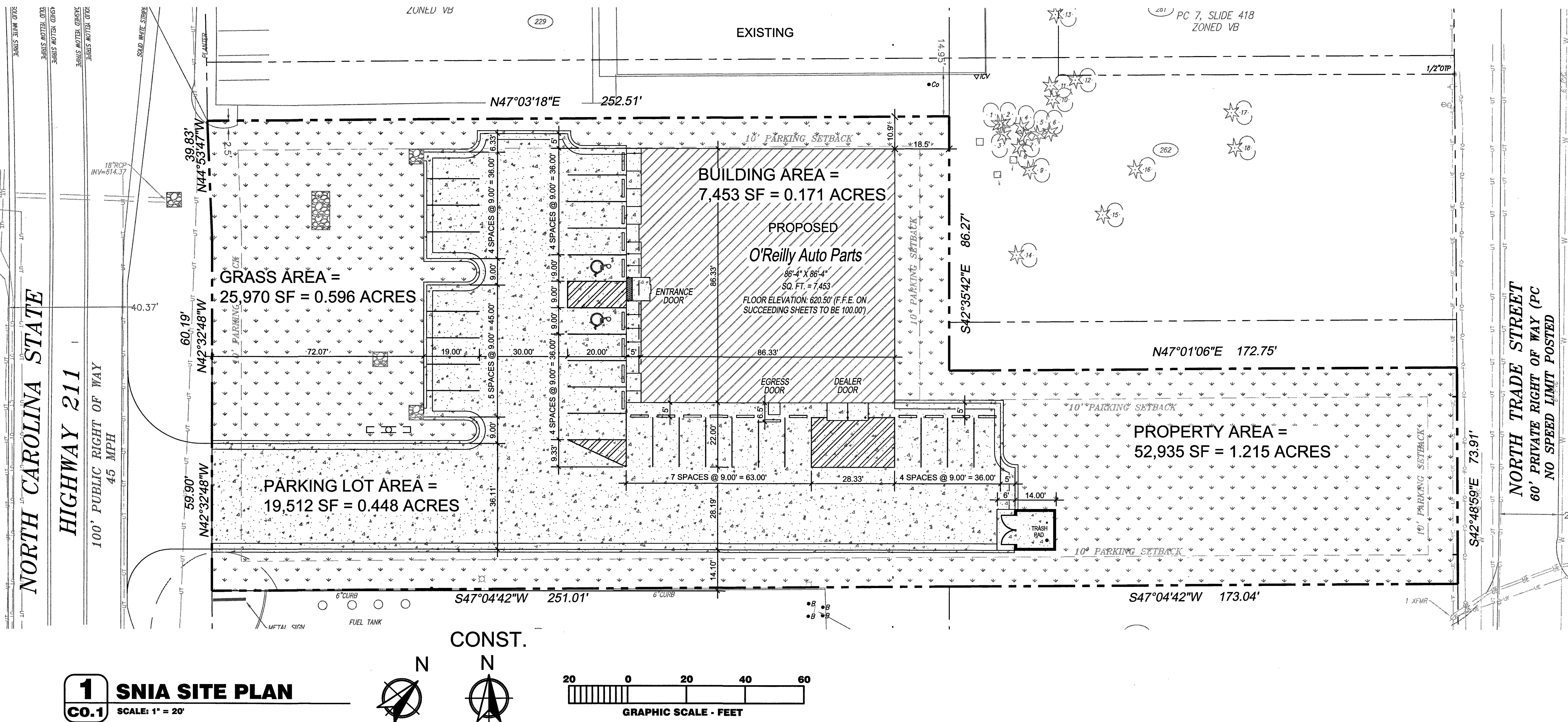
PROJECT:
NEW O'REILLY AUTO PARTS STORE
NC STATE HWY 211
SEVEN LAKES, NC
SNIA SITE PLAN

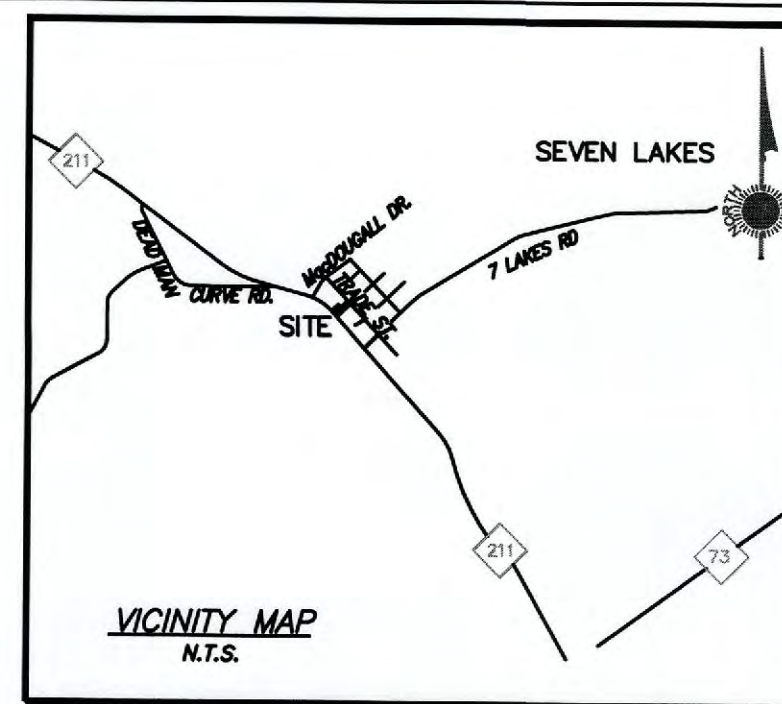
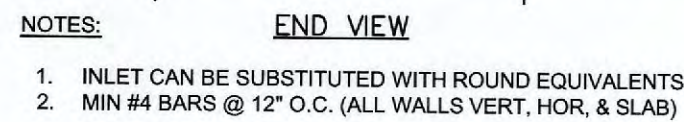
O'Reilly AUTO PARTS
CORPORATE OFFICES
233 SOUTH PATTERSON
SPRINGFIELD, MISSOURI 65802
(417) 862-2674 TELEPHONE

COMM # 0000
DATE: 10-26-17
REVISION
DATE:

C0.1

LEGEND	
	GRASS / PERVIOUS AREA
	PAVEMENT / PARKING LOT AREA
	BUILDING AREA

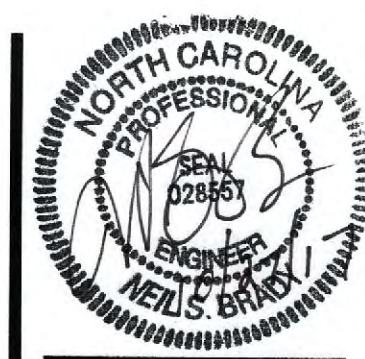




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ARCHITECT

417.862.0558

Fax: 417.862.3265
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Important maintenance procedures:

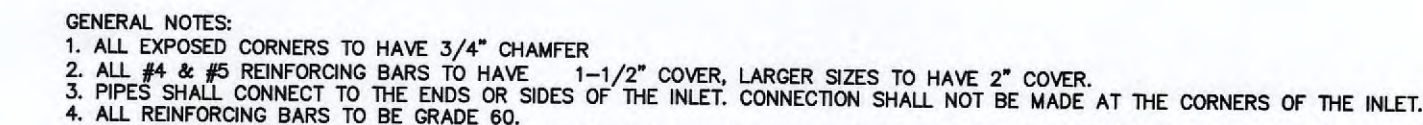
- The drainage area will be managed to reduce the sediment load to the dry extended detention basin.
- Immediately after the dry extended detention basin is established, the vegetation will be watered twice weekly if needed until the plants become established (commonly six weeks).
- No portion of the dry extended detention pond will be fertilized after the first initial fertilization that is required to establish the vegetation.
- I will maintain the vegetation in and around the basin at a height of approximately six inches.

After the dry extended detention basin is established, it will be inspected once a quarter and within 24 hours after every storm event greater than 1.0 inches (or 1.5 inches if in a Coastal County). Records of operation and maintenance will be kept in a known set location and will be available upon request.

Inspection activities shall be performed as follows. Any problems that are found shall be repaired immediately.

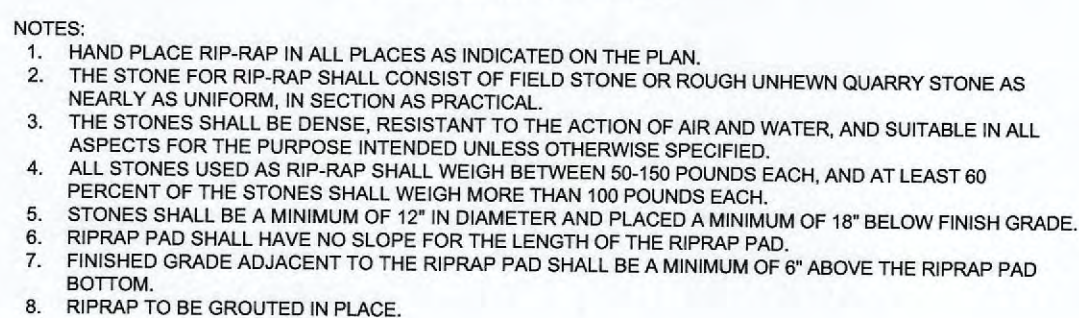
Table 1: Operation and Maintenance Provisions for Dry Ponds

BMP element:	Potential problems:	How to remediate the problem:
The entire BMP	Trash/debris is present.	Remove the trash/debris.
The perimeter of the dry pond	Areas of bare soil and/or erosive gullies have formed.	Regrade the soil if necessary to remove the gully, and then plant a ground cover and water until it is established. Provide lime and a one-time fertilizer application.
The inlet device: pipe or swale	The pipe is clogged.	Unclog the pipe. Dispose of the sediment off-site.
	The pipe is cracked or otherwise damaged.	Replace the pipe.
	Erosion is occurring in the swale.	Regrade the swale if necessary to smooth it over and provide erosion control devices such as reinforced turf matting or riprap to avoid future problems with erosion.
The forebay	Sediment has accumulated to a depth greater than the original design depth for sediment storage.	Search for the source of the sediment and remedy the problem if possible. Remove the sediment and dispose of it in a location where it will not cause impacts to streams or the BMP.
	Erosion has occurred.	Provide additional erosion protection such as reinforced turf matting or riprap if needed to prevent future erosion problems.
	Weeds are present.	Remove the weeds, preferably by hand. If pesticide is used, wipe it on the plants rather than spraying.
The main treatment area	Sediment has accumulated to a depth greater than the original design sediment storage depth.	Search for the source of the sediment and remedy the problem if possible. Remove the sediment and dispose of it in a location where it will not cause impacts to streams or the BMP.
	Water is standing more than 5 days after a storm event.	Check outlet structure for clogging. If it is a design issue, consult an appropriate professional.
	Weeds and noxious plants are growing in the main treatment area.	Remove the plants by hand or by wiping them with pesticide (do not spray).
The embankment	Shrubs have started to grow on the embankment.	Remove shrubs immediately.
	Evidence of muskrat or beaver activity is present.	Use traps to remove muskrats and consult a professional to remove beavers.
	A tree has started to grow on the embankment.	Consult a dam safety specialist to remove the tree.
	An annual inspection by an appropriate professional shows	Make all needed repairs.
	that the embankment needs repair.	
The outlet device / The receiving water	Clogging has occurred.	Clean out the outlet device. Dispose of the sediment off-site.
	The outlet device is damaged	Repair or replace the outlet device.
	Erosion or other signs of damage have occurred at the outlet impacting the receiving stream or wetlands.	Contact the local NCDEQ Regional Office for assistance.



3 DETENTION OUTLET STRUCTURE

CO.3 SCALE: NOT TO SCALE



4 **GROUTED ROCK OVERFLOW**
CO.3 **SCALE: NOT TO SCALE**

PROJECT:
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NC STATE HWY 211
SEVEN LAKES, NC

O'Reilly **AUTO PARTS**
CORPORATE OFFICES
2333 SOUTH PATTERSON
SPRINGFIELD, MISSOURI 65802
(417) 862-2674 TELEPHONE

COMM #	0000
DATE:	10-27-17
REVISION	
DATE:	

C0.3

EROSION CONTROL & MAINTENANCE PLAN NOTES:

- 1. RETAIN FLOATABLE WIND BLOWN MATERIALS ON SITE BY STORING ALL TRASH AND BUILDING MATERIAL WASTE IN ENCLOSURES UNTIL PROPER DISPOSAL AT OFF-SITE FACILITIES. CHECK ADJACENT AREAS DAILY AND PICK UP CONSTRUCTION WASTE MATERIALS AND DEBRIS THAT HAVE BLOWN OR WASHED OFF SITE.
- 2. PERMANENTLY STABILIZE ALL SURFACE AREA WITHIN AND ADJACENT TO THIS SITE THAT IS DISTURBED BY VEHICLES, GRADING AND OTHER CONSTRUCTION FOR THE PROPOSED FACILITY. STABILIZATION IS OBTAINED WHEN THE DISTURBED SURFACE IS COVERED WITH STRUCTURES, PAVING AND OR PERENNIAL VEGETATION HAVING A UNIFORM COVERAGE DENSITY OF AT LEAST 70%. STABILIZATION OF ALL DISTURBED AREA IS REQUIRED BEFORE TERMINATING MAINTENANCE AND REMOVAL OF EROSION CONTROL MEASURES.
- 3. CONTRACTORS SHALL INSPECT POLLUTION CONTROL MEASURES AT LEAST ONCE EVERY 7 DAYS AND WITHIN 24 HOURS AFTER A STORM EVENT OF 1/2 INCH OR GREATER. DAMAGED MEASURES THAT PROVE TO BE INEFFECTIVE SHALL BE REPLACED WITH MORE EFFECTIVE MEASURES OR ADDITIONAL MEASURES WITHIN SEVEN DAYS. REPEATED FAILURE OF A CONTROL MEASURE REQUIRES INSTALLATION OF A MORE SUITABLE DEVICE TO PREVENT DISCHARGE OF POLLUTANTS FROM THE CONSTRUCTION SITE.
- 4. INSTALLATION OF ADDITIONAL EROSION CONTROL MEASURES MAY BE REQUIRED BY THE CITY OR STATE. CONTRACTOR TO VERIFY REQUIREMENTS PRIOR TO BEGINNING ANY WORK ON PROJECT SITE.
- 5. CARE SHALL BE TAKEN TO MINIMIZE THE ENCROACHMENT OF SEDIMENT INTO ALL STORM DRAIN APPURTENANCES, PUBLIC STREETS, AND ONTO PRIVATE PROPERTY UNTIL IMPERVIOUS MATERIAL (ROAD/PARKING AREA SURFACE) IS APPLIED OR UNTIL PROPOSED LANDSCAPE HAS BEEN ESTABLISHED.
- 6. REFER TO 3/C0.4 FOR SILT FENCE CONSTRUCTION.
- 7. ALL GRASS SLOPES WHICH EXCEED 3:1 (H:V) SHALL UTILIZE CONTECH CONSTRUCTION PRODUCTS PERMANENT TURF REINFORCEMENT MAT 450 OR APPROVED EQUAL. MATS SHALL BE INSTALLED PER MANUFACTURER'S SPECIFICATIONS AND STANDARDS. CONTRACTOR SHALL COORDINATE INSTALLATION INSPECTION WITH MANUFACTURER.

STAGES OF CONSTRUCTION:

- 1. CONTRACTOR TO PERFORM DETAILED SITE INSPECTION TO LOCATE ALL EXISTING UTILITIES AND VERIFY ANY POSSIBLE CONFLICTS WITH PROPOSED IMPROVEMENTS PRIOR TO BEGINNING ANY CONSTRUCTION. CONTACT OWNER WITH ANY CONFLICTS. MONTH 1
- 2. INSTALLATION OF CONSTRUCTION ENTRANCE. MONTH 1
- 3. INSTALLATION OF EROSION CONTROL FENCE. MONTH 1
- 4. DEMOLITION OF EXISTING SITE IMPROVEMENTS. MONTH 1
- 5. REMOVAL OF EXISTING PAVEMENT ON THE SITE. MONTH 1
- 6. INSTALLATION OF ALL STORM WATER DRAINAGE IMPROVEMENTS. MONTH 1
- 7. ROUGH GRADING. MONTH 1 & MONTH 2
- 8. CONSTRUCTION OF NEW SITE IMPROVEMENTS. MONTH 2
- 9. FINAL GRADING. MONTH 3
- 10. PLACEMENT OF FINAL LANDSCAPING ITEMS AND SOD. MONTH 3
- 11. REMOVAL OF EROSION CONTROL FENCE. MONTH 3

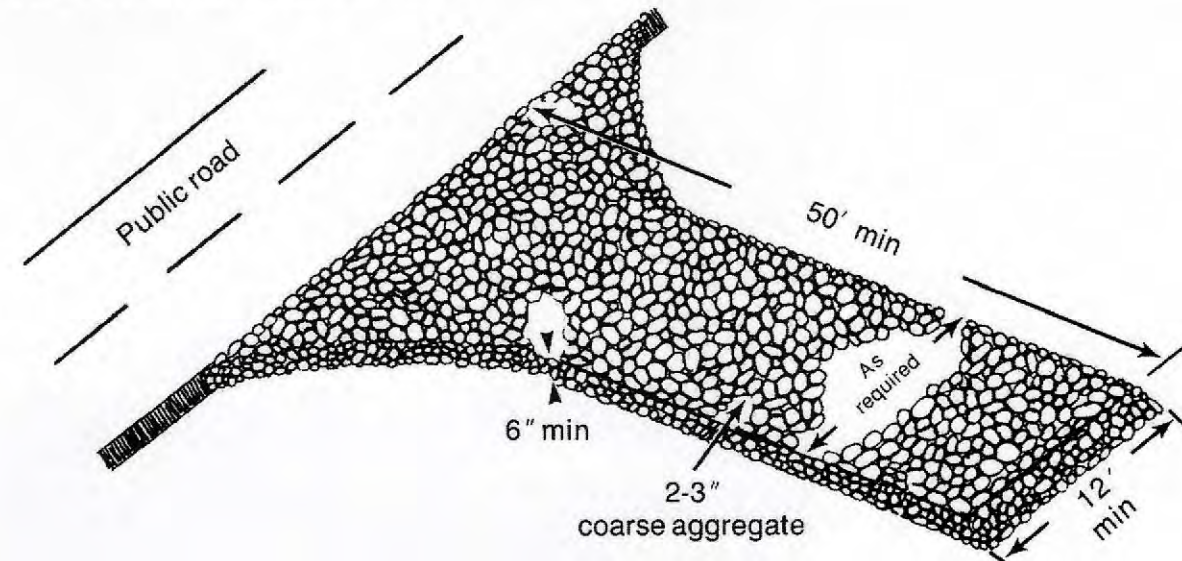


Figure 6.05a Gravel entrance/exist keeps sediment from leaving the construction site (modified from Va SWCC).

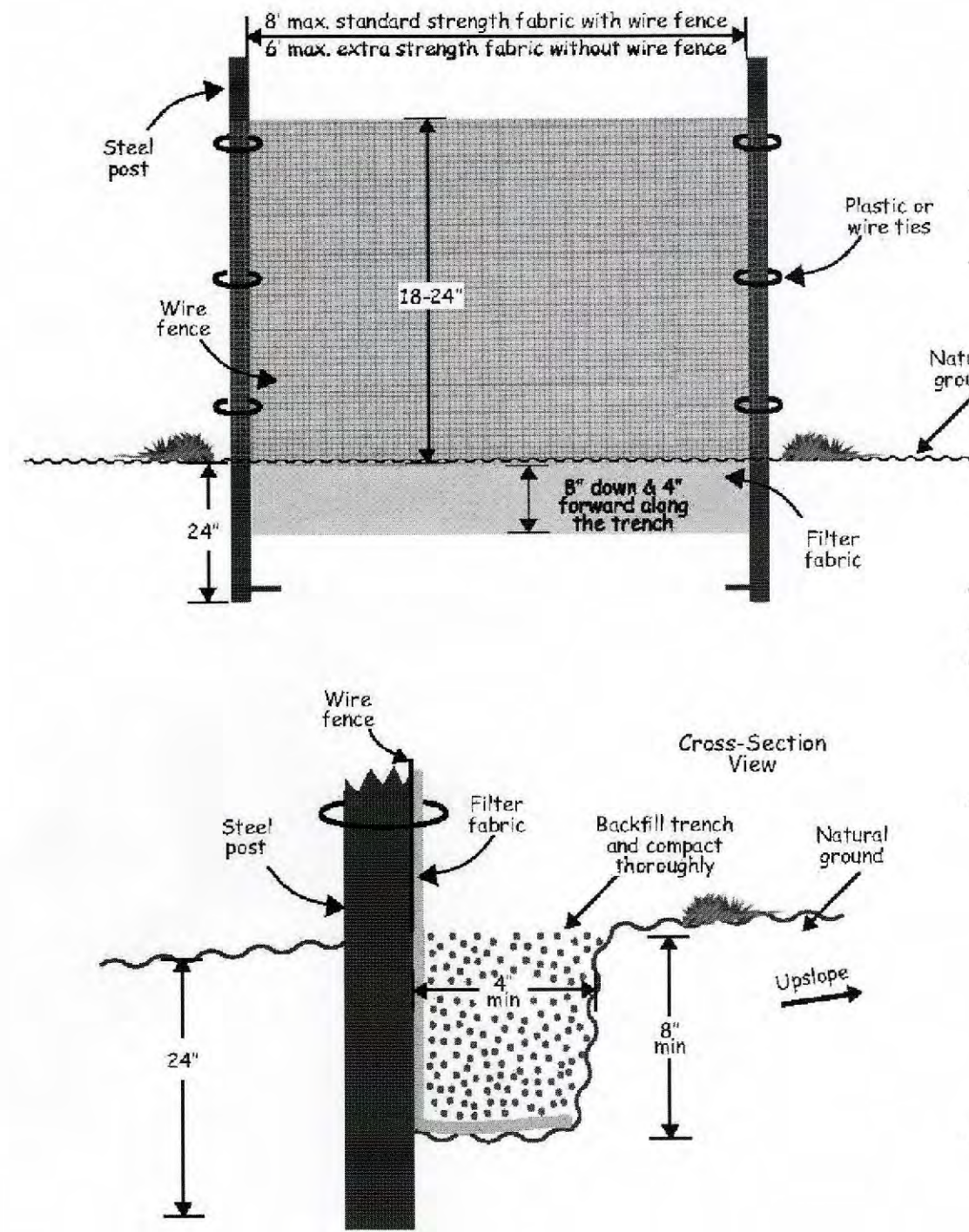
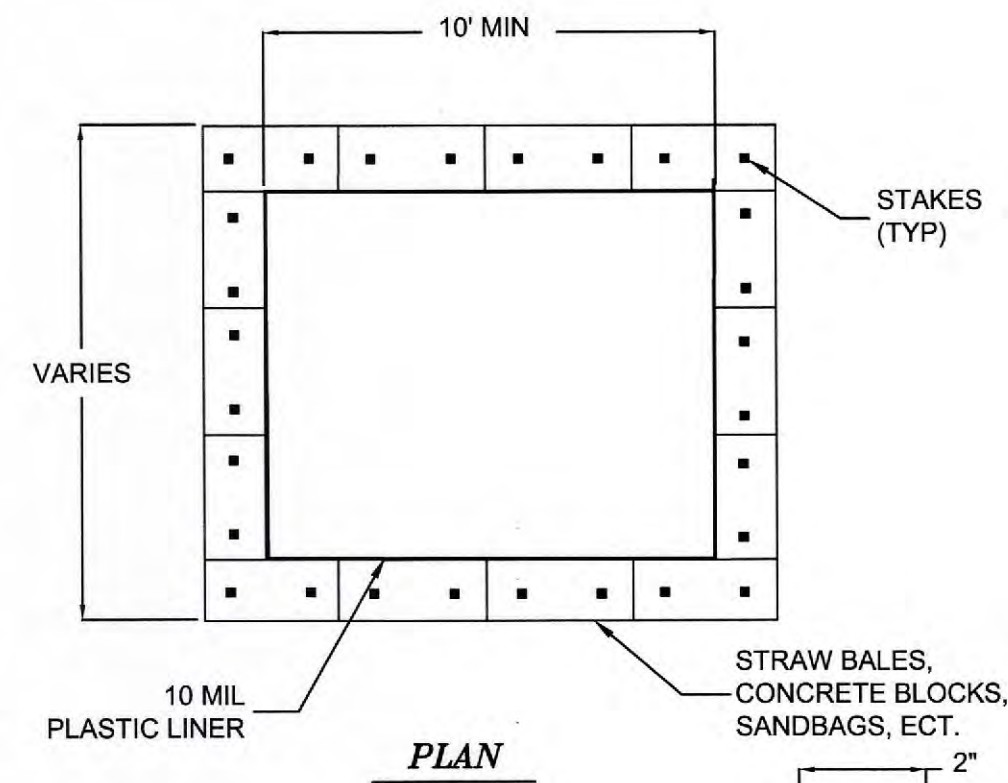
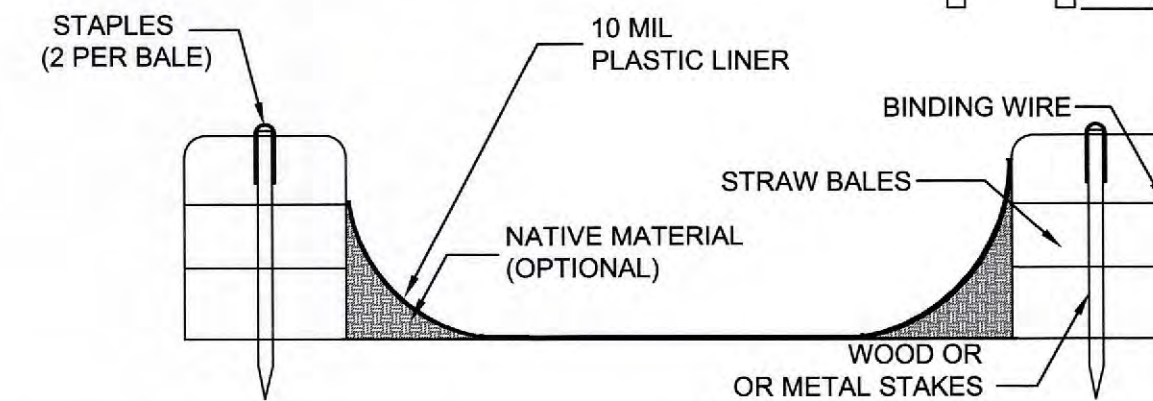


Figure 6.62a Installation detail of a sediment fence.



- NOTES:
- 1. ACTUAL LAYOUT DETERMINED IN FIELD
 - 2. THE CONCRETE WASHOUT SIGN SHALL BE INSTALLED WITHIN 30 FT. OF THE TEMPORARY CONCRETE WASHOUT FACILITY



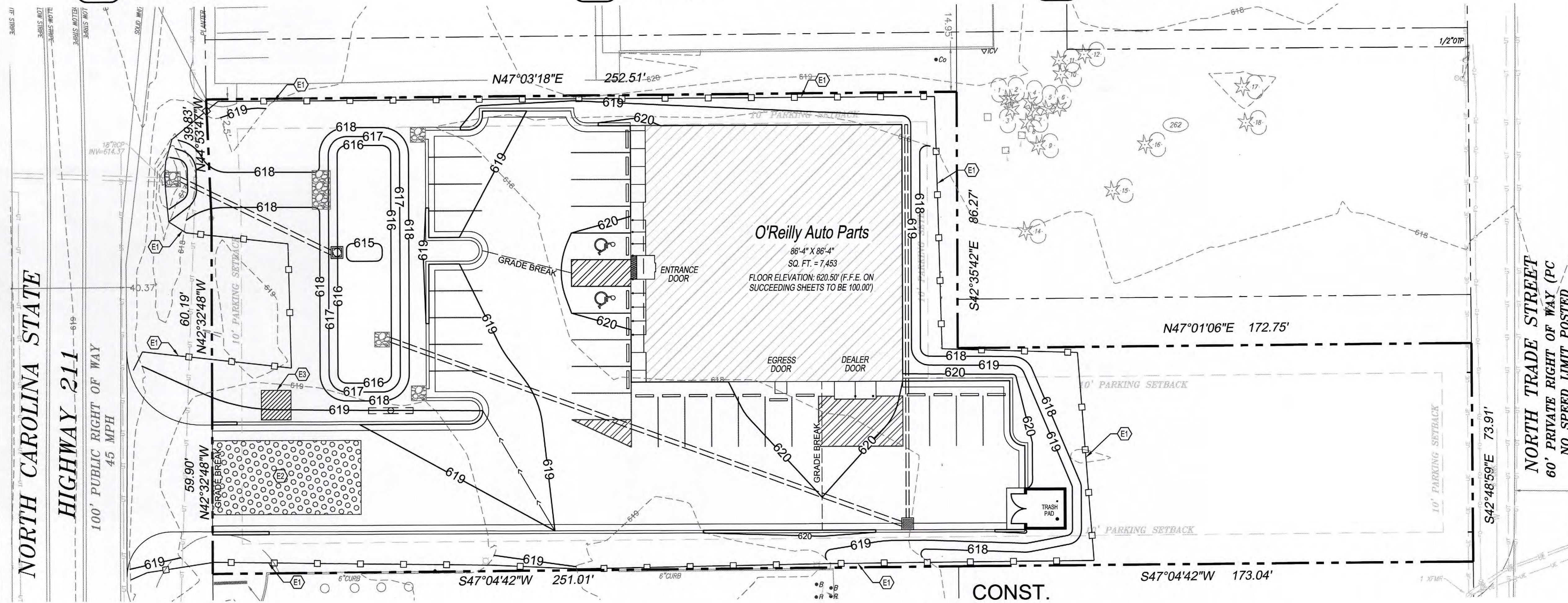
2 TEMPORARY GRAVEL CONSTRUCTION ENTRANCE
C0.4 SCALE: NOT TO SCALE

3 SEDIMENT FENCE
C0.4 SCALE: NOT TO SCALE

4 CONCRETE WASHOUT
C0.4 SCALE: NOT TO SCALE

KEY NOTES:

- E1 LIMITS OF SILT FENCE, REFER TO DETAIL 3/C0.4.
- E2 INSTALL CONSTRUCTION ENTRANCE, REFER TO DETAIL 2/C0.4.
- E3 INSTALL CONCRETE WASHOUT, REFER TO DETAIL 4/C0.4.



1 SNIA SEDIMENTATION AND EROSION CONTROL PLAN
C0.4 SCALE: 1" = 20'

SYMBOLS LEGEND

REFER TO SURVEY (SV1) FOR EXISTING CONDITION SYMBOLS LEGEND AND SITE CONTROL.	
	SILT FENCE
	CONCRETE WASHOUT
	CONSTRUCTION ENTRANCE

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PROJECT:
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NC STATE HWY 211
SEVEN LAKES, NC
SNIA SEDIMENTATION AND EROSION CONTROL PLAN

O'Reilly AUTO PARTS
CORPORATE OFFICES
10000 N. MISSOURI
SPRINGFIELD, MISSOURI 65802
(417) 862-2674 TELEPHONE

COMM # 0000
DATE: 10-27-17
REVISION
DATE:

C0.4

FOR REGISTRATION REGISTER OF DEEDS

Judy D. Martin
Moore County, NC

August 14, 2017 02:28:48 PM

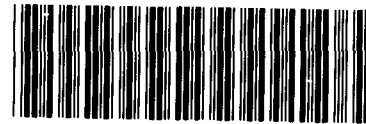
Book 4859 Page 425-429

FEE: \$25.00

NC REVENUE STAMP: \$550.00

INSTRUMENT # 2017011963

JR



INSTRUMENT # 2017011963

Brief description for the Index:

Stamps: \$550.00

.87 Acres +/-, Mineral Springs Township – Parcel Id. 94000440This instrument was prepared by: **Sandhills Law Group** NO TITLE SEARCH COMPLETED BY PREPARER**NORTH CAROLINA GENERAL WARRANTY DEED**THIS DEED made this **21 day of July, 2017**, by and between,

GRANTOR	GRANTEE
<p>Arthur D. Berkoski and wife, Helen Berkoski</p> <p><u>Mailing Address:</u> Apartado 1011 00022 Chame, Panama</p>	<p>O'Reilly Automotive Stores, Inc., a Missouri corporation</p> <p><i>maile</i> <u>Tax &</u> <u>Mailing Address:</u> 233 S. Patterson Springfield, MO 65802</p> <p><u>Property Address:</u> TBD NC HWY 211 West End, NC, 27376</p>

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, have bargained and sold, and by these presents do grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot, tract, or parcel of land situated in **Mineral Springs Township, Moore County, North Carolina**, and more particularly described as follows:

See Exhibit "A" attached hereto and incorporated herein

**Florence O. Berkoski died September 18, 2014, in Panama City, Panama.
See attached death certificate.**

Helen Berkoski executes this deed for the sole purpose of relinquishing and releasing any and all marital and/or other legal rights and interests she may have in the property. She does not participate in any warranties granted under this Deed.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 1193, Page 195, Moore County Registry.

All or a portion of the property herein conveyed does not include the primary residence of a Grantor.

TO HAVE AND TO HOLD the aforesaid lot, tract, or parcel of land, and all privileges and appurtenances thereto belonging to the said Grantee in fee simple; subject, however, to the exceptions, reservations and conditions herein above referred to.

And the Grantor covenants with the Grantee, that Grantor is seized of said premises in fee simple and has the right to convey in fee simple; that the title is marketable and free and clear of all encumbrances; and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except: ad valorem taxes for the current year (prorated to the date of closing); utility easements; unviolated covenants, conditions and restrictions that do not materially affect the value of the property being conveyed herein; and such other encumbrances as may be assumed or specifically approved by Grantee.

The designation Grantor or Grantee as used herein shall include the singular as well as the plural and the masculine, feminine or neuter gender may be read in either the masculine, feminine or neuter gender or a combination thereof as the context may require in order to accurately refer to the person or persons first named hereinabove as Grantor and Grantee.

***** THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK *****

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and seal, or if Corporate, has caused this instrument to be signed in its Corporate name in the ordinary course of business by its duly authorized officer, pursuant to authorization from the Board of Directors, or if Limited Liability Company (Company), in its Company name in the ordinary course of business by its duly authorized manager, pursuant to authorization from its members, the day and year first above written.

Arthur D. Berkoski (SEAL)
Arthur D. Berkoski

Helen D. Berkoski (SEAL)
Helen Berkoski

Country of Panama,
City of Panama Oeste,

I, Leonel A. Olmos, a Notary Public, Ambassador, Minister, Consul, Vice Consul, Consul General or Vice Consul General [please circle official capacity] of the Country and City aforesaid, certify that Arthur D. Berkoski, and Helen Berkoski, personally came before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 21 day of July, 2017.



[AFFIX NOTARIAL SEAL HERE]

Leonel A. Olmos Torres
Lic. Leonel A. Olmos Torres
Notario Público Sexto
Notary Public or other person of the capacity noted above
My Commission Expires: Junio / 2019

TBD NC HWY 211, West EndExhibit "A"

Lying and being in Mineral Springs Township, Moore County, North Carolina, and lying on the Northeast side of N.C. Highway #211 and being more particularly described as follows:

BEGINNING at a stake in the eastern right of way of N.C. Highway #211, same being the westernmost corner of the Donnelly property and same being the western corner of Lot #226 of Seven Lakes Village Division as shown in Plat Cabinet 3, Slide 297, in the Moore County Registry and running thence with the eastern right of way of N.C. #211, North 42 deg. 30 min. West 60.13 feet to a stake; thence continuing with the eastern right of way of N.C. Highway #211 North 44 deg. 57 min. West 39.87 feet to a stake; thence a new line with the balance of the William Franklin Stewart lands North 47 deg. 04 min. East 252.51 feet to a stake, a new corner with the balance of said Stewart lands; thence with another line of the Stewart property South 42 deg. 35 min. East 86.27 feet to a stake, a new corner with the said Stewart property; thence another line of the said Stewart property North 47 deg. 04 min. East 172.72 feet to a stake located in the right of way of North Trade Street; thence with the western line of North Trade Street South 42 deg. 53 min. East 73.83 feet to a stake; thence leaving said North Trade Street South 47 deg. 06 min. West 173.11 feet with the Berkowski lands to a stake; thence North 42 deg. 35 min. West 60 feet to a stake; thence South 47 deg. 04 min. West 250.96 feet to the point of Beginning containing 0.87 acres more or less and being shown as Parcel A on that certain map prepared under the direction and supervision of Mark A. Smith, Registered Land Surveyor.



U.S. Department of State
REPORT OF DEATH OF A U.S. CITIZEN OR U.S. NON-CITIZEN NATIONAL ABROAD

Panama, Republic of Panama
 Post

09-04-2015
 Date of Issue (mm-dd-yyyy)

SSA No.

Name in full Florence O. Berkoski Age 68

Date (mm-dd-yyyy) and Place of Birth 04-20-1946 Brooklyn, New York United States of America

Evidence of U.S. Citizenship Regular Passport #483826604 issued on March 01, 2012

Address in U.S.A. 7950 NW 77th Street, C4PMA-10, Medley, Florida 33166-2168 United States of America

Permanent or Temporary Address Abroad #123, Rainbow Ridge Street, Sora, Bejuco, Panama

Date of death September 18 10 57 a.m. 2014
 Month Day Hour Minute Year

Place of death Clinica Hospital San Fernando, Pueblo Nuevo Panama City Panama
Name and street of Hospital (city) City Country

Cause of death Cardiorespiratory Arrest, Convulsive Syndrome and Small Vessel Disease as per Panamanian Death
Including authority for statement of physician, include full name and official title, if any

Certificate signed by Dr. Jose Luis Caravallo C., Code C980

Disposition of the remains Cremated, ashes are in possession of her husband

Local law governing disinterment of remains provides that N/A

Disposition of the effects Arthur Berkoski, husband

Person or official responsible for custody of effects and accounting therefore Arthur Berkoski, husband

Traveling/residing abroad with relatives or friends as follows:

NAME	ADDRESS
Arthur Berkoski, husband	#123, Rainbow Ridge Street, Sora, Bejuco, Panama

NAME	ADDRESS	DATE (mm-dd-yyyy) NOTIFIED

NAME	ADDRESS	DATE (mm-dd-yyyy) SENT
Arthur Berkoski	#123, Rainbow Ridge Street, Sora, Bejuco, Panama	9/3/2015

Notification or copy sent to Federal Agencies: SSA ☒ VA ☐ CSC ☐ Other ☐ Vital Records-NY
State Agency

The original copy of this document and information concerning the effects are being placed in the permanent files of the U.S. Department of State, Washington, DC 20520.

Remarks:

U.S. Passport No. 483826604 was cancelled at Post and returned to Arthur Berkoski, husband

(Continue on reverse if necessary.)

[SEAL]

Debra Negron
 Vice Consul

Signature on all copies
 of the United States of America.

(Last name)
 Berkoski

(First name)
 Florence

(Middle name)
 O

(Date (mm-dd-yyyy) of death)
 09-18-2014

FOR REGISTRATION REGISTER OF DEEDS

Judy D. Martin
Moore County, NC

August 14, 2017 02:28:48 PM

Book 4859 Page 430-432

FEE: \$26.00

NC REVENUE STAMP: \$200.00

INSTRUMENT # 2017011964

JR



INSTRUMENT # 2017011964

Brief description for the Index:

Stamps: \$200.00

Lot 226, Commercial Land Co. – Parcel Id. 00020121

This instrument was prepared by: **Sandhills Law Group** NO TITLE SEARCH COMPLETED BY PREPARER**NORTH CAROLINA GENERAL WARRANTY DEED**THIS DEED made this 21 day of July, 2017, by and between,

GRANTOR	GRANTEE
<p>Berkoski South, L.L.C., a North Carolina limited liability company</p> <p><u>Mailing Address:</u> Apartado 1011 00022 Chame, Panama</p>	<p>O'Reilly Automotive Stores, Inc., a Missouri corporation</p> <p><i>Tax &</i> <i>mail</i> <u>Mailing Address:</u> 233 S. Patterson Springfield, MO 65802</p> <p><u>Property Address:</u> 4215 NC HWY 211 West End, NC, 27376</p>

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, have bargained and sold, and by these presents do grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot, tract, or parcel of land situated in **Mineral Springs Township, Moore County, North Carolina**, and more particularly described as follows:

Beginning at an iron rod at the common corner of Lot Numbers 225 and 226 as shown on the Map of Commercial Land Company which point is also the southwest corner of the property of Art's Deli Mart as described in Deed Book 635 at Page 276, in the Moore County Registry, and running thence with the northerly line of NC Highway 211 N 42-33-14 W 59.97 feet to an existing iron pipe, thence with the line of Lots 226 and 227, N 47-3-55 E 250.98 feet to an existing iron pipe, thence S 42-35-10 E 59.99 feet to an existing iron pipe, thence

with the common line of Lots 225 and 226, which is along the Deli Mart property line, thence S 47-4-9 W 250.97 feet to the point of beginning, containing 15,052 square feet, and also shown as Lot Number 226 on the Map of Commercial Land Company.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 2211, Page 244, Moore County Registry.

All or a portion of the property herein conveyed does not include the primary residence of a Grantor.

TO HAVE AND TO HOLD the aforesaid lot, tract, or parcel of land, and all privileges and appurtenances thereto belonging to the said Grantee in fee simple; subject, however, to the exceptions, reservations and conditions herein above referred to.

And the Grantor covenants with the Grantee, that Grantor is seized of said premises in fee simple and has the right to convey in fee simple; that the title is marketable and free and clear of all encumbrances; and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except: ad valorem taxes for the current year (prorated to the date of closing); utility easements; unviolated covenants, conditions and restrictions that do not materially affect the value of the property being conveyed herein; and such other encumbrances as may be assumed or specifically approved by Grantee.

The designation Grantor or Grantee as used herein shall include the singular as well as the plural and the masculine, feminine or neuter gender may be read in either the masculine, feminine or neuter gender or a combination thereof as the context may require in order to accurately refer to the person or persons first named hereinabove as Grantor and Grantee.

***** THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK *****

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and seal, or if Corporate, has caused this instrument to be signed in its Corporate name in the ordinary course of business by its duly authorized officer, pursuant to authorization from the Board of Directors, or if Limited Liability Company (Company), in its Company name in the ordinary course of business by its duly authorized manager, pursuant to authorization from its members, the day and year first above written.

Berkoski South, L.L.C.

Arthur D. Berkoski (SEAL)
Arthur D. Berkoski, Member/Manager

Country of Panama
 City of Panama Oeste

I, Leonel A. Olmos, a Notary Public Ambassador, Minister, Consul, Vice Consul, Consul General or Vice Consul General [please circle official capacity] of the Country and City aforesaid, certify that Arthur D. Berkoski, Member/Manager of Berkoski South, L.L.C., a North Carolina limited liability company, personally came before me this day and acknowledged the due execution of the foregoing instrument being so authorized.

Witness my hand and official stamp or seal, this 21 day of July, 2017.



[AFFIX NOTARIAL SEAL HERE]

APL
 Notary Public or other person of the capacity noted above

My Commission Expires: Junio 2019

Lic. Leonel Amer Olmos Torres
 Notario Público Sexto

MEMORANDUM TO THE PLANNING BOARD

FROM: Debra Ensminger
Planning & Transportation Director

DATE: January 3, 2018

SUBJECT: General Use Rezoning Request: Highway Commercial (B-2) to Residential and Agricultural-40 (RA-40)

PRESENTER: Theresa Thompson

REQUEST

Juniper Ridge Partners, LLC are requesting a General Use Rezoning from Highway Commercial (B-2) to Residential and Agricultural-40 (RA-40) of the south western portion, being approximately 8,925 square feet (approximately 0.20 acres) of an approximate 8.77 acre parcel, located adjacent to 990 Juniper Lake Road and adjacent to Mountain Run Road, owned by Juniper Ridge Partners, LLC, per Deed Book 4921 Page 233 and recorded in Plat Cabinet 17, Slide 573.

This case was properly advertised, public hearing sign posted on the property, and all adjacent property owners were notified.

BACKGROUND

Juniper Ridge Partners, LLC have completed Phase's 1 and 2 of the Juniper Ridge Subdivision and are in the process of planning for Phase 3. The subject property is located within Phase 3 of Juniper Ridge Subdivision. Juniper Ridge Partners, LLC are interested in adding the subject 8,925 square foot portion of land to the Juniper Ridge Subdivision. The subject approximate 8,925 square feet portion of the property is currently undeveloped.

ZONING DISTRICT COMPATIBILITY

The requested rezoning to Residential and Agricultural-40 (RA-40) is consistent with the adjacent uses in the area, including single family residential and commercial. The surrounding area is zoned a mixture of Highway Commercial (B-2), Residential and Agricultural-2 (RA-2), Residential and Agricultural-40 (RA-40), and Residential and Agricultural-20 (RA-20).

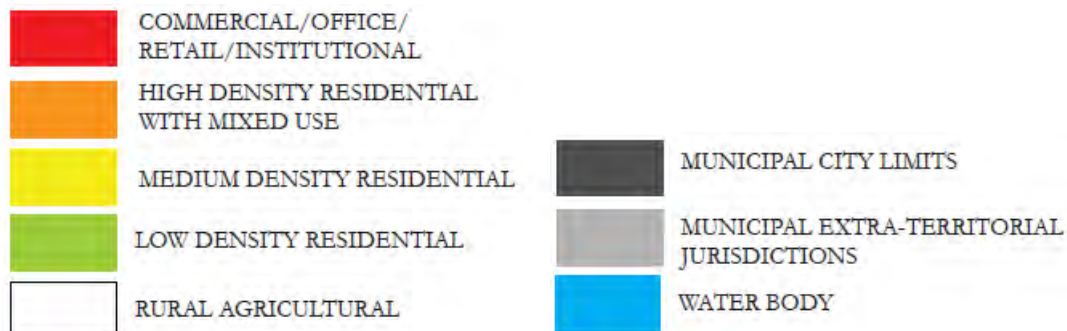
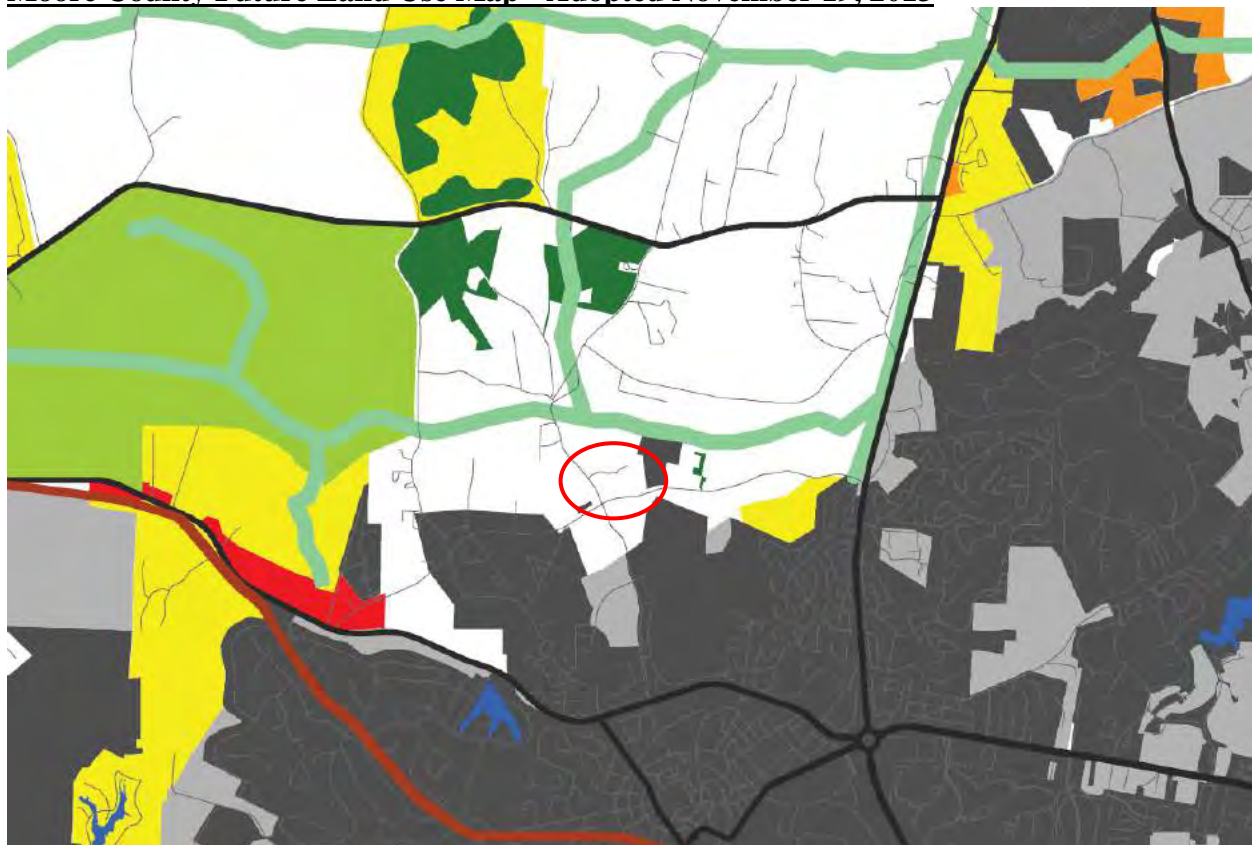
CONSISTENCY WITH THE 2013 MOORE COUNTY LAND USE PLAN

The site has a Rural Agricultural Land Use Classification (RALUC). The requested zoning to RA-40 is not in general compatibility with the Rural Agricultural Land Use Classification (RALUC). The Land Use Plan states the primary use of the Rural Agricultural Land Use Classification (RALUC) is to support rural residential life associated with agricultural uses and other rural activities. It further states that major subdivisions of land are strongly discouraged.

Although this site is located within the Rural Agricultural Land Use Classification (RALUC), the site is located adjacent to an existing major residential subdivision “Juniper Ridge” and the site has infrastructure available including County Water to support a medium density development. The site is also located near the Town of Taylortown and the Village of Pinehurst, providing practicality, easy access, and reduced travel times to the nearby towns.

The rezoning request is also consistent with several goals as included in the attached Land Use Plan Consistency Statement, including Goal 3.1: Maximize accessibility among living, working, and shopping areas and Action 1.8.8: Support and promote infill development that will optimize the use of existing infrastructure. Therefore, staff recommends updating the Land Use Map to reclassify this site to the Medium Density Residential Land Use Classification (MDRLUC). The Land Use Plan states the Medium Density Residential Land Use Classification (MDRLUC) is categorized for density of 2 to 4 dwellings per acre.

Moore County Future Land Use Map - Adopted November 19, 2013



RECOMMENDATION

Staff recommends the Moore County Planning Board make two separate motions:

Motion #1: Make a motion to adopt or deny the attached Land Use Plan Consistency Statement. As specified in the Land Use Plan Consistency Statement, a declaration of approval is also deemed an amendment to the Land Use Plan.

Motion #2: Make a motion to recommend approval or denial to the Moore County Board of Commissioners of the general use rezoning from Highway Commercial (B-2) to result in the south western portion of an approximate 8.77 acre parcel, being approximately 8,925 square feet, located adjacent to 990 Juniper Lake Road and adjacent to Mountain Run Road, being rezoned to Residential and Agricultural-40 (RA-40).

ATTACHMENTS

- Pictures of Property and Adjacent Properties
- Vicinity Map
- Land Use Map
- Rezoning Application
- Draft Preliminary Plat “Juniper Ridge Subdivision Phase 3”
- Rezoning Map
- Planning Board Consistency Statement – Approval
- Planning Board Consistency Statement – Denial
- Deed Book 4921, Page 233
- Plat Cabinet 17, Slide 573

View of corner of subject property from Juniper Lake Rd



Adjacent property – 990 Juniper Lake Road.



View across Juniper Lake Road from subject property.



Adjacent property – 3621 Murdocksville Rd – Protech Metals, Inc.

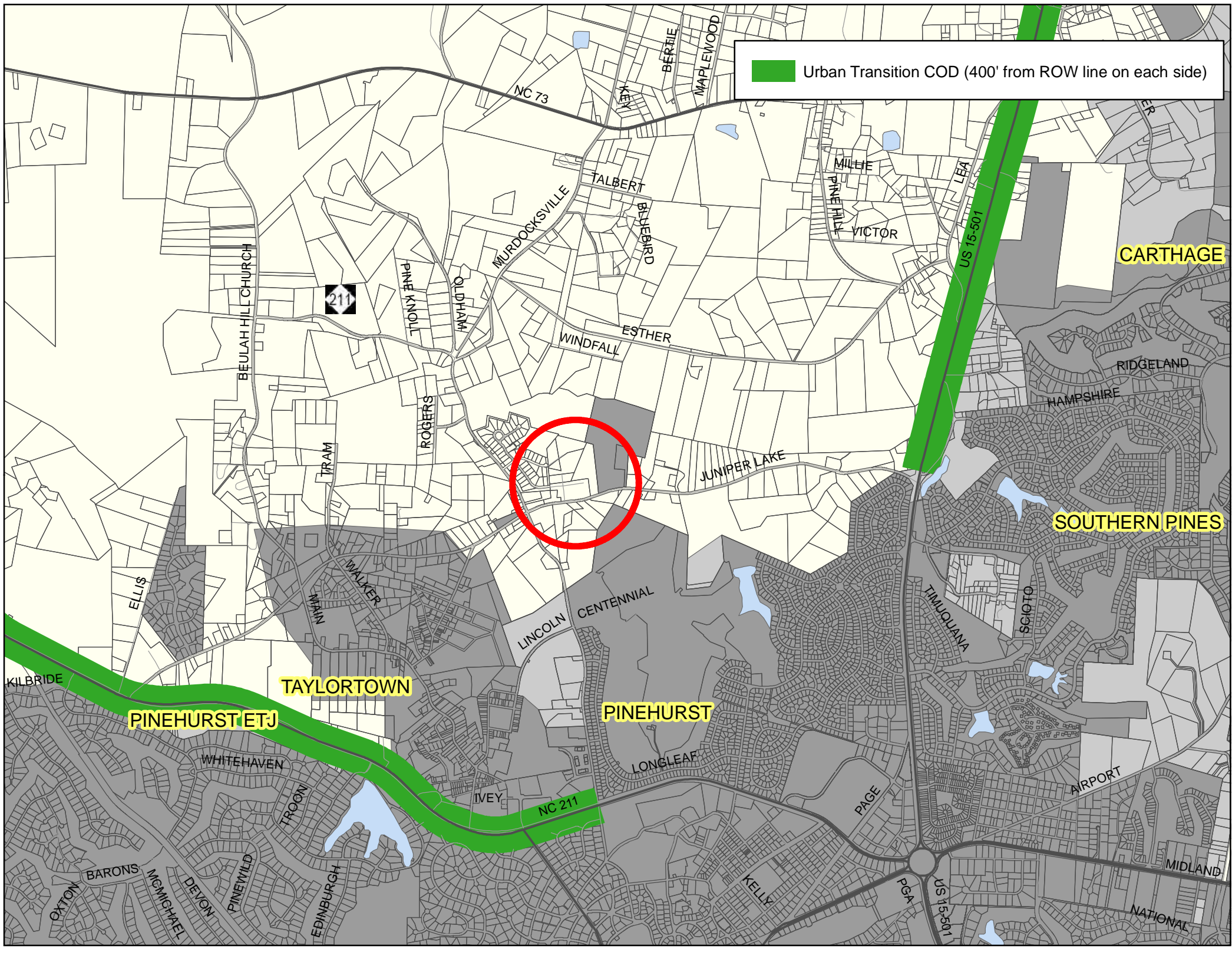


Adjacent Property – Future Phase 3 of Juniper Ridge Subdivision



Adjacent Property – Mountain Run Road, Juniper Ridge Subdivision





Urban Transition COD (400' from ROW line on each side)

CARTHAGE

SOUTHERN PINES

TAYLORTOWN

PINEHURST ETJ

PINEHURST

MIDLAND

NATIONAL

AIRPORT

PAGE

KELLY

NC 211

IVEY

EDINBURGH

PINWILD

DEVON

BARONS

OXTON

WHITEHAVEN

TROON

WANN

WALKER

ROGERS

OLDHAM

MURDOCKVILLE

WINDFALL

ESTHER

BLUEBIRD

TALBERT

NC 73

KEY

BERTIE

MAPLEWOOD

MILLIE

PINE HILL

VICTOR

LEA

US 15-501

RIDGELAND

HAMPSHIRE

SCOTO

TIMQUANA

LONGLEAF

LINCOLN CENTENNIAL

JUNIPER LAKE

TRAM

BEULAH HILL CHURCH

211

ELLIS

KILBRIDE

Land Use Map

Juniper Ridge Subdivision

MOUNTAIN RUN

CAROUSEL

Single Family Dwelling

Protech Metals, Inc.

Undeveloped - Future Phase 3
of Juniper Ridge Subdivision

JUNIPER LAKE

Dog's Life Grooming

Single Family Dwelling

Single Family
Dwelling

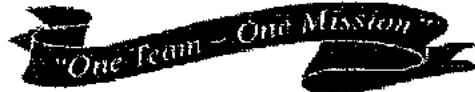
Undeveloped

MURDOCKSVILLE





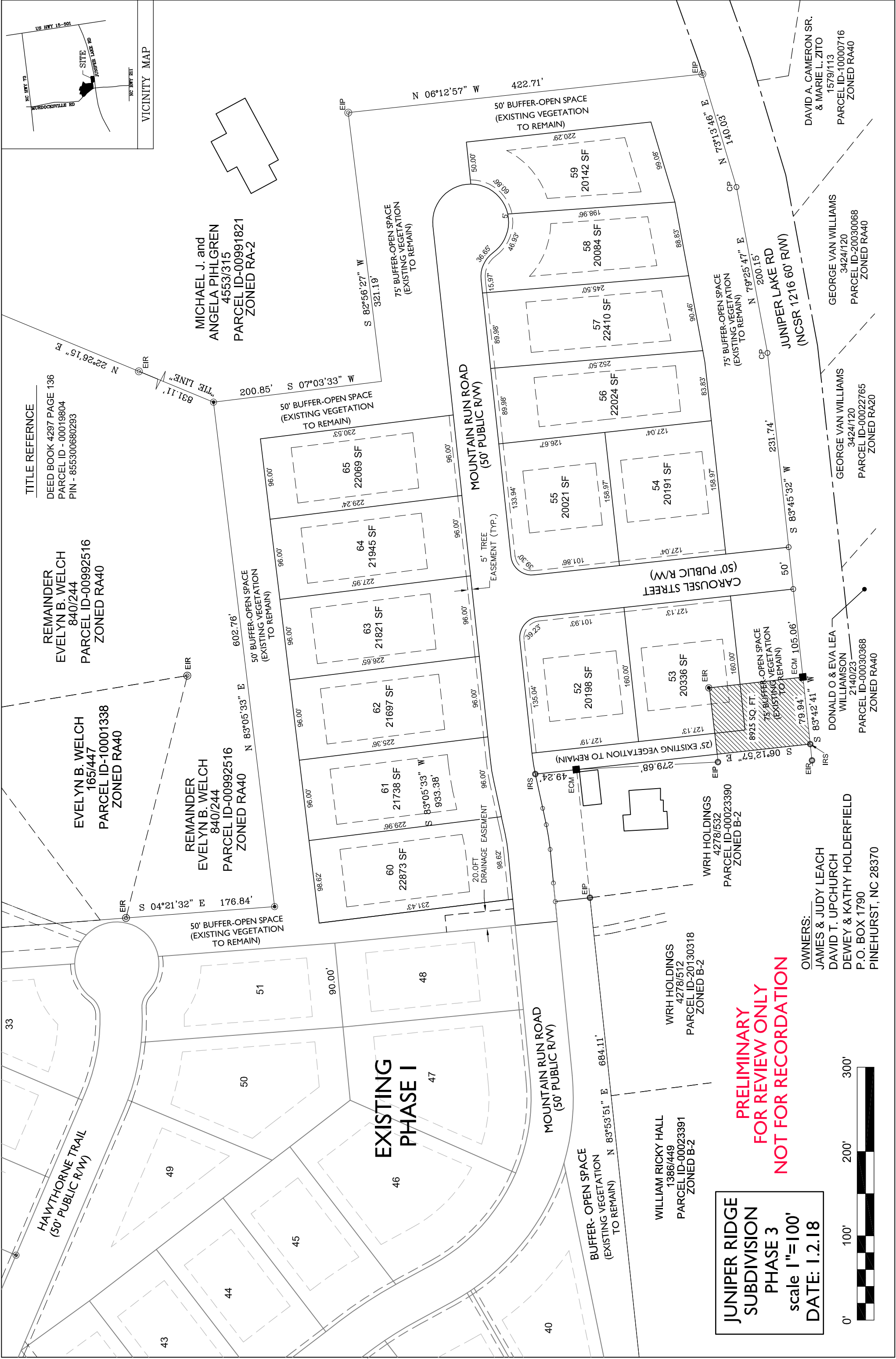
PLANNING & TRANSPORTATION



P.O. BOX 905
1018 Carriage Oaks Drive
Carthage, NC 28327
Inspections/Permitting: (910) 947-2221
Planning: (910) 947-5010
Transportation: (910) 947-3389
Fax: (910) 947-1303

General Use Rezoning Application

Application Date:		JANUARY 2 nd , 2018 <i>TDW</i>	
Location/Address of Property:		JUNIPER LAKE ROAD	
Applicant: JUNIPER RIDGE PARTNERS		Phone: 910-639-5898	
Applicant Address: 244 NATIONAL DRIVE	City: PINEHURST	St: NC	Zip: 28374
Owner: JUNIPER RIDGE PARTNERS		Phone:	
Owner Address: 244 NATIONAL DRIVE	City: PINEHURST	St: NC	Zip: 28374
Current Zoning District: B-2	Proposed Zoning District: RA-40		
Comments: THE PARCEL IS LOCATED ON THE NORTH ROW OF JUNIPER LAKE RD ± 800 FT EAST OF MURDOCK'S VILLE RD, CONTAINES 8925 SF (0.20 AC) THE PARCEL HAS BEEN PURCHASED BY JUNIPER RIDGE PARTNERS WHO PLAN TO INCLUDE IT IN JUNIPER RIDGE SUBDIVISION PH3 SEE ATTACHED MAP RECOMBINATION PLAT CABINET 17 SLIDE 573/DEEDS (SEE ATTACHED)			
Application Submittal The applicant must submit a complete application packet on or before the submittal deadline. This includes: <input type="checkbox"/> Completed Moore County General Use Rezoning Application. <input type="checkbox"/> Application Fee (\$300). <i>CK # 1171 \$300.00</i> <input type="checkbox"/> Postage sufficient to notify all adjacent landowners FOR TWO MAILINGS . (One for Planning Board meeting, and one for Board of Commissioners meeting.) The rate for postage FOR EACH CERTIFIED MAIL LETTER is \$6.49. This includes \$3.30 (certified mail) plus \$2.70 (return receipt) plus \$0.49 (first class stamp). <i>\$65.60 CK # 1173</i>			
I (We), the undersigned, certify that all statements furnished in this application are true to the best of my (our) knowledge, and do hereby agree to follow all reasonable requests for information as designated by the County of Moore Zoning Administrator.			
<i>Daniel T. Upchurch</i>		<i>1-2-2018</i>	
Applicant/Owner Signature		Date	
Applicant/Owner Signature		Date	
Office Use Only: PAR ID: <i>2014 0498</i>			
<i>Danya Cowan</i>		<i>1-2-2018</i>	
Received By		Date	



TITLE REFERENCE
DEED BOOK 4297 PAGE 136
PARCEL ID - 00019804
PIN - 855300680293

REMAINDER
EVELYN B. WELCH
840/244
PARCEL ID-00992516
ZONED RA40

EVELYN B. WELCH
165/447
PARCEL ID-10001338
ZONED RA40

REMAINDER
EVELYN B. WELCH
840/244
PARCEL ID-00992516
ZONED RA40

MICHAEL J. and
ANGELA PIHLGREN
4553/315
PARCEL ID-00991821
ZONED RA-2

EXISTING
PHASE I

JUNIPER RIDGE
SUBDIVISION
PHASE 3
scale 1"=100'
DATE: 1.2.18

PRELIMINARY
FOR REVIEW ONLY
NOT FOR RECORDATION

OWNERS:
JAMES & JUDY LEACH
DAVID T. UPCURCH
DEWEY & KATHY HOLDERFIELD
P.O. BOX 1790
PINEHURST, NC 28370

WRH HOLDINGS
4278/532
PARCEL ID-20130318
ZONED B-2

WRH HOLDINGS
4278/532
PARCEL ID-00023390
ZONED B-2

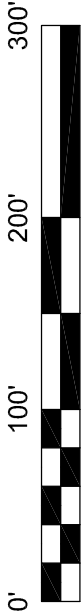
WILLIAM RICKY HALL
1386/449
PARCEL ID-00023391
ZONED B-2

DONALD O & EVA LEA
WILLIAMSON
2140/23
PARCEL ID-00030368
ZONED RA40

GEORGE VAN WILLIAMS
3424/120
PARCEL ID-00022765
ZONED RA20

GEORGE VAN WILLIAMS
3424/120
PARCEL ID-20030068
ZONED RA40

DAVID A. CAMERON SR.
& MARIE L. ZITO
1579/113
PARCEL ID-10000716
ZONED RA40



Rezoning Map

B-2

RA-40

CAROUSEL

Shaded area
requested to be rezoned
from B-2 to RA-40






















JUNIPER LAKE

RA-20

RA-40

RA-20

Legend

	B-1		PUD/CUD		RA-40
	B-1-CUD		PUD-H		R-MH
	B-2		RA		RA-CUD
	GC-SL		RA-2		RA-USB
	GC-WL		RA-2-CUD		RE
	I		RA-5		VB
	P-C		RA-20		VB-CUD

Moore County Planning Board
Land Use Plan Consistency Statement
General Use Rezoning Request
Highway Commercial (B-2) to Residential and Agricultural-40 (RA-40)

The Moore County Planning Board finds that:

1. The rezoning request is consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around the municipalities)

- Action 1.5.2: Support new developments that utilize existing or implement planned infrastructure that most economically preserves open space and important historical, natural and cultural features.
- Action 1.8.8: Support and promote infill development that will optimize the use of existing infrastructure.

Goal 3: Optimize the Uses of Land Within the County of Moore

- Goal 3.1: Maximize accessibility among living, working, and shopping areas
- Recommendation 3.4: Encourage development in areas where the necessary infrastructure (roads, water, sewer, and schools) are available, planned or most cost-efficiently be provided and extended to serve development.

2. Approval of the rezoning request is also deemed an amendment to the Land Use Plan Future Land Use Map by reclassifying the site to the Medium Density Residential Land Use Classification.

3. Contributing factors in the rezoning approval is in response to managing the demand of residential growth, largely resulting from the influx of families spurred by Fort Bragg's growth from the Base Realignment and Closure. This site is determined to be suitable for development due to its close proximity to nearby towns and availability of public water.

4. The rezoning request is reasonable and in the public interest considering the property is located adjacent to an existing major residential subdivision "Juniper Ridge," has access to public water and will be served by an internal street system

which supports higher density residential uses, and is in close proximity to the Town of Taylortown and Village of Pinehurst providing practicality, easy access, and reduced travel times to nearby towns.

Therefore, the Moore County Planning Board recommends **APPROVAL** of the General Use Rezoning Request, to result in of the south western portion, being approximately 8,925 square feet (approximately 0.20 acres) of an approximate 8.77 acre parcel, located adjacent to 990 Juniper Lake Road and adjacent to Mountain Run Road, being rezoned to Residential and Agricultural (RA-40), as proposed. The approval is also deemed an amendment to the Land Use Plan Future Land Use Map.

Eddie Nobles, Chair
Moore County Planning Board

Date

Moore County Planning Board
Land Use Plan Consistency Statement
General Use Rezoning Request
Highway Commercial (B-2) to Residential and Agricultural-40 (RA-40)

The Moore County Planning Board finds that:

1. The rezoning request is consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around the municipalities)

- Action 1.5.2: Support new developments that utilize existing or implement planned infrastructure that most economically preserves open space and important historical, natural and cultural features.
- Action 1.8.8: Support and promote infill development that will optimize the use of existing infrastructure.

Goal 3: Optimize the Uses of Land Within the County of Moore

- Goal 3.1: Maximize accessibility among living, working, and shopping areas
- Recommendation 3.4: Encourage development in areas where the necessary infrastructure (roads, water, sewer, and schools) are available, planned or most cost-efficiently be provided and extended to serve development.

3. The proposed rezoning is not reasonable and not in the public interest because the proposed rezoning will have an unreasonable impact on the surrounding community.

Therefore, the Moore County Planning Board recommends **DENIAL** of the General Use Rezoning Request, to result in of the south western portion, being approximately 8,925 square feet (approximately 0.20 acres) of an approximate 8.77 acre parcel, located adjacent to located adjacent to 990 Juniper Lake Road and adjacent to Mountain Run Road, being rezoned to Residential and Agricultural (RA-40), as proposed.

Eddie Nobles, Chair
Moore County Planning Board

Date

For Registration Register of Deeds

Judy D. Martin

Moore County, NC

Electronically Recorded

January 2, 2018 1:09:32 PM

Book: 4921 Page: 233 - 234 #Pages: 2

Fee: \$26.00 NC Rev Stamp: \$30.00

Instrument # 2018000038

**NORTH CAROLINA
GENERAL WARRANTY DEED**

Excise Tax: **\$30.00**

Brief Description: Portion of Tract Juniper Lake Rd.

Mail after recording to:

This instrument was prepared by: Paul B. Trevarrow, PLLC, 760C NW Broad St., Southern Pines, NC 28387

THIS DEED made this 20th day of December, 2017 by and between

GRANTOR

WRH Holdings, LLC a North Carolina limited liability company

PO Box 1925

Pinehurst, NC 28374

GRANTEE

Juniper Ridge Partners, LLC

244 National Dr.

Pinehurst, NC

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land and more particularly described as follows:

Being that portion of Grantor's tract described in the deed recorded in Book 4278, Page 535, which is included in Tract 2, Recombined, containing 8925 square feet, as shown on a plat thereof entitled "Replat of Recombination Survey for WRH Holdings, LLC and Juniper Ridge Partners, LLC" which plat is recorded in the Office of the Register of Deeds of Moore County, North Carolina in Plat Cabinet 17, Slide 573, and being the southernmost corner of said Tract 2, and designated by dashed lines labelled "Old Property Line".

submitted electronically by "Trevarrow Law Firm"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Moore County Register of Deeds.

This conveyance is made subject to enforceable reservations, easements, restrictions and covenants of record, matters shown on the above plat, ad valorem taxes for the current year, and zoning or other municipal ordinances.

All or a portion of the property hereinabove described was acquired by Grantor by instrument recorded in Book 4278, Page 532, Moore County Registry.

The tract conveyed hereby is not a new or separate parcel but is to be recombined with Grantee's Tract having Parcel ID No. 20140498.

The above described property ☐ does ☒ does not include the primary residence of the Grantor.

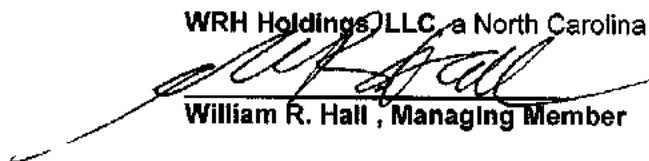
TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be signed in its company name by its duly authorized manager, the day and year first above written.

WRH Holdings, LLC, a North Carolina limited liability company (SEAL)

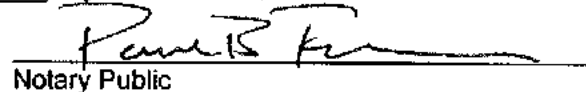

William R. Hall, Managing Member

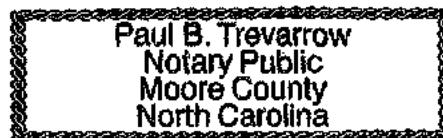
NORTH CAROLINA, MOORE COUNTY

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she signed the foregoing document: William R. Hall, Managing Member of WRH Holdings, LLC.

Witness my hand and official stamp or seal, this the 28th day of December, 2017.

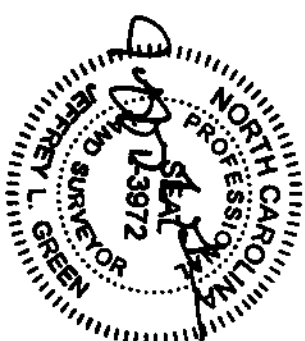
My Commission Expires: 12-12-2019


Notary Public



I, JEFFREY L. GREEN, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED REFERENCES AS SHOWN). THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN REFERENCES AS SHOWN. THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY AS CALCULATED IS 1:10,000. THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 20th DAY OF DECEMBER, A.D. 2017

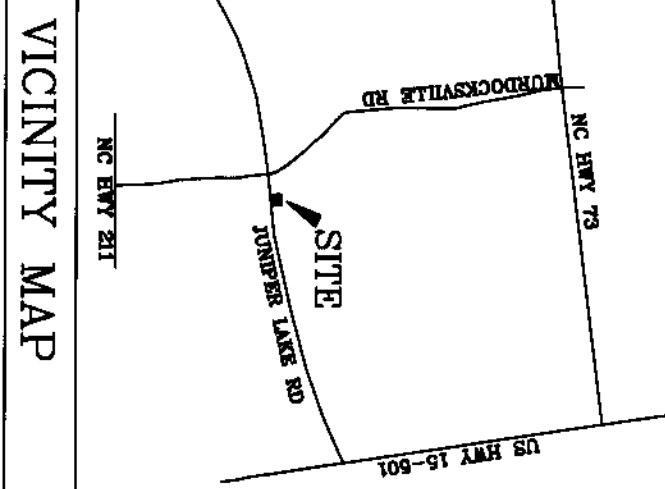
Jeffrey L. Green
Professional Land Surveyor
L-3972
LICENSE NUMBER



I, JEFFREY L. GREEN, PROFESSIONAL LAND SURVEYOR, L-3972, CERTIFY TO THE FOLLOWING AS REQUIRED IN G.S. 47-30(c)(11):
THAT THE SURVEY IS OF ANOTHER CATEGORY SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXEMPTION OR EXCEPTION TO THE DEFINITION OF SUBDIVISION.
DATE 12/12/2017
FOR REGISTRATION, REGISTER OF DEEDS
Judy B. Smith, LLC
NOTARY PUBLIC
December 21, 2017 11:33:30 AM
Book 17 Page 573-573
INSTRUMENT # 2017018708

STATE OF NORTH CAROLINA
I, Theresa M. Thompson REVIEW OFFICER
OF MOORE COUNTY, CERTIFY THAT
THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED
MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.
REVIEW OFFICER
DATE 12/21/17
CERTIFICATE OF EXEMPTION
I HEREBY CERTIFY THAT THE DIVISION OF PROPERTY SHOWN AND
DESCRIBED HEREON IS EXEMPT FROM THE MOORE COUNTY
SUBDIVISION ORDINANCE BY DEFINITION AND/OR ORDINANCE.
SUBDIVISION ADMINISTRATOR
DATE 12/21/17

PLAT CABINET 17 SLIDE 573



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	255.00'	29.70'	29.89'	S81°05'39"W	6°40'28"

LINE	BEARING	DISTANCE
L1	N07°13'30"W	41.47'
L2	N64°25'50"E	22.77'
L3	N64°25'54"E	40.03'
L4	N77°45'23"E	19.81'
L5	N77°46'07"E	44.39'
L6	S06°12'57"E	49.24'
L7	S83°42'41"W	19.50'

JUNIPER RIDGE PARTNERS, LLC
4363388
PC 16 SLIDE 449
PID-20140498
ZONED RA-40

JUNIPER RIDGE PARTNERS, LLC
4740280
PC 17 SLIDE 150
PID-20160509
ZONED RA-40

MICHAEL & ANGELA PHILGREN
4553315
PID-00981821
ZONED RA-2

TITLE REFERENCE
TRACT 1
DEED BOOK 4278 PAGE 532
PARCEL ID - 00023390
PIN - 85531677249
ZONING B-2
TRACT 2
DEED BOOK 4363 PAGE 389
PARCEL ID - 20140498
PIN - 855300771476
ZONING RA-40

MICHAEL & ANGELA PHILGREN
4553315
PID-00981821
ZONED RA-2

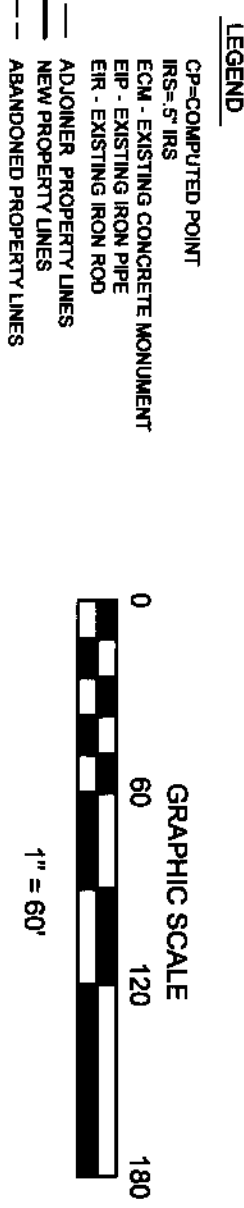
GPS
NC GRID NAD 83(2011)

TRACT 2 RECOMBINED
TOTAL 8.72 AC

TRACT 1 RECOMBINED
TOTAL 1.54 AC

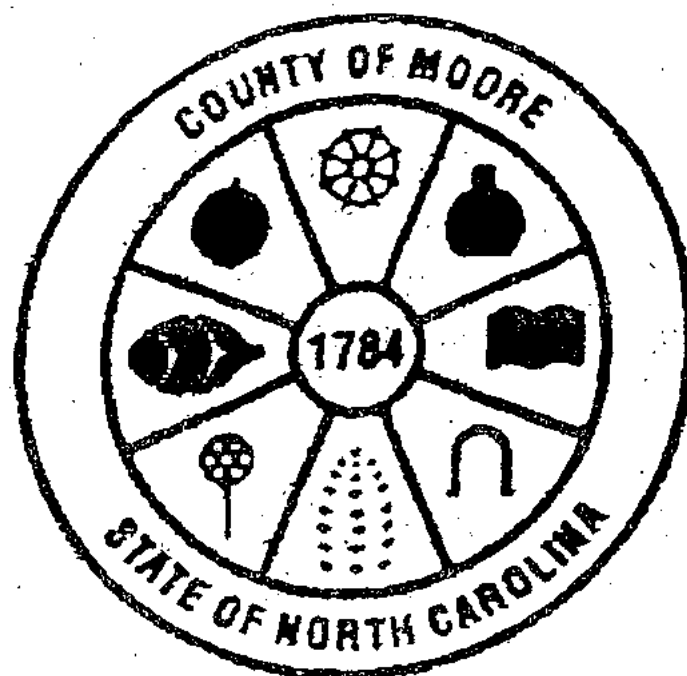
JUNIPER LAKE RD
(NCSR 1216 60' RW)

REPLAT OF
RECOMBINATION SURVEY FOR
WRH HOLDINGS, LLC &
JUNIPER RIDGE PARTNERS, LLC
TO RECONFIGURE PROPERTY LINES SHOWN ON PLAT
RECORDED IN PLAT CABINET 17 SLIDE 537
MINERAL SPRINGS TOWNSHIP,
MOORE COUNTY
NORTH CAROLINA
SCALE 1" = 60'
FIELD WORK-DECEMBER 18, 2017



- NOTES:
1. THERE ARE NO GRID MONUMENTS LOCATED WITHIN 2000' OF THIS PROPERTY.
 2. SUBJECT TO ALL EASEMENTS, RIGHT-OF-WAY, STREETS, AND ASSESSMENTS, IF ANY, AS THE SAME MAY APPEAR OF RECORD IN THE OFFICE OF THE REGISTER OF DEEDS, CLERK OF COURT, TOWN OR COUNTY TAX OFFICES OR WHICH MAY HAVE BEEN ACQUIRED BY PRESUMPTIVE USE.
 3. THE BOUNDARIES SHOWN ON THIS PLAT WERE ESTABLISHED BY USING EXISTING CONCRETE MONUMENTS, IRON PIPES, IRON RODS, AND PLATS OF RECORD IN THE MOORE COUNTY REGISTRY.
 4. AREA BY COORDINATE COMPUTATION.
 5. EXISTING ZONING CLASSIFICATION: RA 40 & B-2.
 6. THIS MONUMENT IS LOCATED WITHIN A 60' EASEMENT. ADDITIONAL MONUMENTS WERE PLACED AT THE CORNERS OF THE EASEMENT.
 7. THE STATE PLANE COORDINATES FOR THIS PROJECT WERE PRODUCED WITH STATIC GPS OBSERVATIONS AND PROCESSED WITH ONLINE POSITIONING USER SERVICE (OPUS) ON JULY 7, 2016.

OWNER: WRH HOLDINGS, LLC
P.O. BOX 1925
PINEHURST, N.C. 28374
OWNER: JUNIPER RIDGE PARTNERS, LLC
244 NATIONAL DRIVE
PINEHURST, N.C. 28374
SURVEYOR: JEFFREY L. GREEN, PLS
5322 BIG OAK CHURCH ROAD
EAGLE SPRINGS, N.C. 27242
(910) 975-2306



Judy D. Martin
Register of Deeds
Moore County, North Carolina

PLAT



INSTRUMENT # 2017018708

FOR REGISTRATION REGISTER OF DEEDS
Judy D. Martin
Moore County, NC
December 21, 2017 11:33:30 AM
Book 17 Page 573-573
FEE: \$21.00
INSTRUMENT # 2017018708

MEMORANDUM TO THE PLANNING BOARD

FROM: Debra Ensminger
Planning and Transportation Director

DATE: November 7, 2017

SUBJECT: Unified Development Ordinance Text Amendments

PRESENTER: Darya Cowick

REQUEST

Moore County Planning Staff is requesting the below text amendments to the Moore County Unified Development Ordinance:

Bold Text – additions to the ordinance
~~Strikethrough Text~~ - deletions from the ordinance

1. *AMEND* Chapter 6 (Table of Uses), Section 6.1 (Use Table), as follows:

INDUSTRIAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
WASTE RELATED SERVICES																
Land Clearing and Composting Facility Debris Management Facility									Z			Z		P	8.102	U
Mulching									Z					P	8.106	U
Sawmill									Z					P	8.108	U

REASON. Similar land uses have been consolidated into one category “Debris Management Facility” to include the following uses: Compost Facility, Yard Waste Facility, Land Clearing and Inert Debris Landfill (LCID), Mulching Facility, Concrete Recycling Facility, and Sawmills.

2. *REWRITE* Chapter 8 (Specific Use Standards), Section 8.102 (Land Clearing and Composting Facility) as follows:

~~A. **Definition.** A commercial or public solid waste processing facility where land clearing, yard, or garden waste (stumps, limbs, leaves, brush, grass, and untreated wood collected from land clearing or landscaping operations) is deposited and transformed into soil or fertilizer by biological decomposition. This definition does not include backyard~~

~~composting, accessory to a bona fide farm, farming and silvicultural operations. (15A NCAC § 13B.0101; see also NCCS § 130A-290).~~

A. Definitions.

1. **Compost Facility** – A facility which utilizes a controlled biological process of degrading non-hazardous solid waste. This definition does not include backyard composting, accessory uses to a bona fide farm, farming and silvicultural operations.
2. **Yard Waste Facility** – A facility which stores or processes yard trash and land clearing debris. "Yard trash" is a solid waste resulting from landscaping and yard maintenance such as brush, grass, tree limbs, and similar vegetative material. "Land-clearing debris" is solid waste generated solely from land-clearing activities, including stumps, limbs, leaves, grass, and untreated wood (G.S. 130A-290). This facility is limited to 2 acres and/or 6,000 cubic yards per 3 month period. Debris shall not be buried and the facility may not be used to stockpile material, 75% of material received must be removed within the same year.
3. **Land Clearing and Inert Debris Landfill (LCID)** – A facility for the disposal of land clearing waste, concrete, asphalt, brick, concrete block, uncontaminated soil, gravel, rock, untreated/unpainted wood, and yard trash. Debris shall be buried.
4. **Mulching Facility** – A facility that processes, distributes, or otherwise engages in the commercial sale of mulch and ancillary mulching products. Not to include landscaping businesses, woodworking shops, lumber manufacturing or wood products or pine straw lots. Mulch is any material such as leaves, bark, chipped and/or grounded wood or other organic materials left loose and applied to the soil surface to reduce evaporation.
5. **Concrete Recycling Facility** – A facility that deals with the processing (crushing, sorting, storing, stockpiling, grading, and washing) of hardened structural concrete to produce a reusable concrete product. Beginning on January 1st of each calendar year, a minimum of 75% by weight or volume of the recovered material stored at a facility shall be removed from the facility through sale, use, or reuse by December 31st of the same calendar year.
6. **Sawmills** – A facility where logs are processed to produce wood products, including pallet recycling and production, and not including the processing of timber for use on the same lot by the owner or resident of that lot.

- B. ~~Standards. Sites must be developed in accordance per the rules from the NC Administrative Code, Section .1400 (Solid Waste Compost Facilities) as approved by the NC Department of Environmental Quality, including but not limited to setback requirements as required per Section .1404 Siting/ Design Requirements for Solid Waste Composting Facilities. Application shall include all of the information required by the~~

~~"Solid Waste Management Rules" of the North Carolina Department of Human Resources, Division of Health Services, or successor agency. 1 parking space for each employee plus 1 space for each vehicle used in the operation.~~

- A. **Standards** – Facilities shall be in accordance with Chapter 130A Article 9 of the North Carolina General Statutes, Title 15A Subchapter 13B of the North Carolina Administrative Code (Solid Waste Management). All buildings, storage sheds, structures and parking or storage areas for vehicles, equipment, or supplies shall be set back from all property lines and public rights-of-way a minimum 30 feet or the building setbacks for the underlying zoning district, **or as required by the North Carolina Department of Environmental Quality**, whichever is greater. 1 parking space for each employee plus 1 space for each vehicle used in the operation. **Dust, dirt**, and sawdust shall be disposed of in a manner that is acceptable by the North Carolina Department of Environmental Quality. The owner(s) shall ensure the facility remains in compliance with local, State, and Federal regulations regarding air and water quality.

REASON. Definitions and standards have been updated to meet North Carolina Department of Environmental Quality (NCDEQ) regulations.

3. *REWRITE* Chapter 8 (Specific Use Standards), Section 8.104 (Landfill) as follows:

- A. ~~Definition. A lot or part thereof used primarily for the disposal of waste. Landfills shall include the following types:~~

- ~~1. Sanitary. A facility where waste material and refuse is placed in the ground in layers and covered with earth or some other suitable material each work day.~~
- ~~2. Recycling Center. A building or an area where the primary activity is the separation of materials prior to shipment for manufacture into new materials. Junkyards or wrecking yards are a separate definition.~~

- A. Definitions.

1. **Municipal Solid Waste Management Facility (MSWF)** – A facility that receives municipal solid waste for processing, treatment, or disposal. Hazardous waste, sludge, industrial waste, and/or solid waste from mining or agricultural operations are prohibited.
2. **Construction and Demolition Landfill Facility (C&DLF)** – A facility that receives construction, remodeling, repair, and/or demolition waste. C&D waste does not include yard waste, municipal, and/or industrial wastes. Debris shall be buried.
3. **Industrial Solid Waste Landfill** – A facility that receives solid waste generated by manufacturing or industrial processes that is not a hazardous waste regulated under Subtitle C of Resource Conservation and Recovery Act.

4. **Material Recovery Facility** – A facility that receives non-hazardous solid waste which is collected, separated, processed, and/or reused or returned to use in the form of raw materials or products. Beginning on January 1st of each calendar year, a minimum of 75% by weight or volume of the recovered material stored at a facility shall be removed from the facility through sale, use, or reuse by December 31st of the same calendar year.
- B. **Standards**. Facilities shall be in accordance with Chapter 130A Article 9 of the North Carolina General Statutes, Title 15A Subchapter 13B of the North Carolina Administrative Code (Solid Waste Management). Except for a freestanding office, all buildings shall be located a minimum 100 feet from any property used or zoned for residential purposes and any street right-of-way. The use shall be totally enclosed by a security fence a minimum 6 feet high with 3-strand barbed wire or razor wire. A Type 3 screening (Section 7.11) shall be installed around the entire perimeter, including street right-of-way lines. 3 parking spaces for each 4 employees on the largest shift plus spaces for vehicles used in the operation.
- C. **Supplemental**. The applicant shall demonstrate that the stored materials will not pose a danger to surrounding properties, or residents, due to noise, light, runoff, animal or insect populations, or other factors.

REASON. Definitions and standards have been updated to meet North Carolina Department of Environmental Quality (NCDEQ) regulations.

4. *REMOVE* Chapter 8 (Specific Use Standards), Section 8.106 (Mulching) in its entirety:

~~Definition. Any business establishment that manufactures, processes, distributes or otherwise engages in the commercial sale of mulch and ancillary mulching products determined to be supplemental to the use. Not to include landscaping businesses, woodworking shops, sawmills, lumber manufacturing or wood products or pine straw lots. Mulch is any material such as leaves, bark, chipped and / or ground wood or other organic materials left loose and applied to the soil surface to reduce evaporation.~~

REASON – This section now falls within Chapter 8 (Specific Use Standards), Section 8.102 (Land Clearing and Composting Facility).

5. *REMOVE* Chapter 8 (Specific Use Standards), Section 8.108 (Sawmill) in its entirety:

- B. ~~**Definition**. A facility where logs are sawn, split, shaved, stripped, chipped, or otherwise processed to produce wood products, including pallet recycling and production, and not including the processing of timber for use on the same lot by the owner or resident of that lot.~~

~~C. Standards. All buildings, storage sheds, structures and parking or storage areas for vehicles, equipment, or supplies shall be set back from all property lines and public rights of way a minimum 30 feet or the building setbacks for the underlying zoning district, whichever is greater.~~

~~D. Supplemental. Sawdust created by the facility shall be disposed of in a manner that is acceptable by the North Carolina Department of Environmental Quality. The owner(s) shall ensure the facility remains in compliance with local, State, and Federal regulations regarding air and water quality.~~

REASON – This section now falls within Chapter 8 (Specific Use Standards), Section 8.102 (Land Clearing and Composting Facility).

CONSISTENCY WITH THE ADOPTED 2013 LAND USE PLAN

The Planning Board Consistency Statement which speaks to Land Use Plan goals is included for the Board's review and consideration.

RECOMMENDATION

Staff recommends the Moore County Planning Board make two separate motions:

Motion #1: Make a motion to adopt the attached Moore County Planning Board Land Use Plan Consistency Statement (Approval) and authorize its Chairman to execute the document as required by North Carolina General Statute 153A-341.

Motion #2: Make a motion to recommend approval to the Moore County Board of Commissioners of the proposed text amendment to the Moore County Unified Development Ordinance.

ATTACHMENTS

- Planning Board Consistency Statement – Approval

Moore County Planning Board
Land Use Plan Consistency Statement
Text Amendment - Unified Development Ordinance

The Moore County Planning Board finds that:

1. The text amendment request is consistent with the following goals listed in the 2013 Moore County Land Use Plan:

Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around municipalities).

- Recommendation 1.5: Encourage and support development and land use principles by ensuring Moore County's cultural, economical, and natural resources are considered appropriately.
 - Recommendation 1.7: Support and promote local businesses.
 - Recommendation 1.8.7: Select appropriate locations for industrial development and zone them as such (using factors such as soil suitability, proximity to water and sewer, rail and highways).
- The text amendment is consistent with the Goals listed above due to the compatibility of land use goals supporting local businesses.

2. The text amendment is reasonable and in the public interest because the ordinance has been updated to meet current statutory requirements.

Therefore, the Moore County Planning Board recommends **APPROVAL** of the text amendment to the Unified Development Ordinance, as proposed.

Eddie Nobles, Chair
Moore County Planning Board

Date